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KE KE'ENA

STATE OF HAWAII | KA MOKU'ĀINA O HAWAII  
**DEPARTMENT OF LAW ENFORCEMENT**

*Ka 'Oihana Ho'okō Kānāwai*

715 South King Street  
Honolulu, Hawaii 96813

TESTIMONY ON HOUSE BILL 1933

RELATING TO SOBRIETY CHECKS

Before the House Committee on Transportation

Tuesday, February 6, 2024; 10:00 a.m.

State Capitol Conference Room 312, Via Videoconference

Testifiers: Jordan Lowe, Michael Vincent, or Jared Redulla

Chair Todd, Vice Chair Kila, and members of the Committee:

The Department of Law Enforcement (DLE) **supports** House Bill 1933 and recommends an amendment.

This bill establishes a sobriety checkpoints special fund within DLE to provide funding to county law enforcement agencies for staffing for sobriety checks and provides a funding mechanism for the fund.

The DLE supports the establishment of such a fund to support the increased use of sobriety checkpoints in our communities. Statistics from the U.S. Department of Justice, indicate that the average driving under the influence (DUI) violator commits that offense approximately 80 times per year and alcohol-related crashes are nine times more likely to result in death than are non-alcohol-related crashes. Often law enforcement agencies incur overtime, personnel, and other increased operational expenses to conduct these checkpoints. This bill provides a mechanism to support the use of sobriety checkpoints which are a fundamental tool in the enforcement and deterrence of DUI offenses.

The DLE notes that the Department of transportation currently disperses grant funds for DUI equipment and programs from the United States Department of Transportation National Highway Traffic Safety Administration. Therefore, the

Department of Transportation would be the appropriate State agency responsible for the fund and disbursements from the fund. The DLE recommends that SECTION 1 be amended to provide that a new section be added to Chapter 291C or Chapter 291E of the Hawaii Revised Statutes.

Often multiple law enforcement agencies may be involved in the operation of a sobriety checkpoint and that law enforcement efforts go beyond the checkpoint itself if arrests are made. The DLE recommends that subsection (b) of the new section be amended to clarify that more than one law enforcement agency is eligible for disbursements from the fund and that disbursement will cover post arrest processing.

The below suggested language addresses some of these concerns.

(b) Moneys in the sobriety checkpoint special fund shall be administered by the department of transportation and disbursed to [~~the~~]law enforcement [~~agency~~] agencies responsible for providing staffing of sobriety checkpoints and any processing of those arrested as part of the sobriety checkpoint in each of the counties."

Finally, the DLE recommends that SECTIONS 5 through 8 be deleted from the bill and SECTION 4 be amended to read as follows:

SECTION 4. There is appropriated out of the general revenues of the State of Hawaii the sum of \$ \_\_\_\_\_ or so much thereof as may be necessary for fiscal year 2024-2025 to be deposited into the sobriety checkpoint special fund to be used as a grant-in-aid to county police departments or the Department of Law Enforcement for staffing of sobriety checks and any processing of those arrested as part of the sobriety checkpoint conducted by county police departments; provided that no funds shall be disbursed to a county police department unless matched by the applicable county on a dollar-for-dollar basis.

The sum appropriated shall be expended by the  
department of transportation for the purposes of this Act.

Thank you for the opportunity to testify in support of this bill.

JOSH GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA



TESTIMONY BY:  
EDWIN H. SNIFFEN  
DIRECTOR  
KA LUNA HO'OKELE  
  
Deputy Directors  
Nā Hope Luna Ho'okele  
DREANALEE K. KALILI  
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STATE OF HAWAI'I | KA MOKU'ĀINA 'O HAWAI'I  
DEPARTMENT OF TRANSPORTATION | KA 'OIHANA ALAKAU  
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February 6, 2024  
10:00 a.m.  
State Capitol, Room 312

**H.B. 1933**  
**RELATING TO SOBRIETY CHECKS**

House Committee on Transportation

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The Hawaii Department of Transportation (HDOT) supports H.B. 1933, which establishes a sobriety checkpoint special fund to provide funding to county law enforcement agencies for staffing for sobriety checks; increases the state vehicle registration fee to be deposited into the sobriety checkpoint special fund; and appropriates funds into the sobriety checkpoint special fund and out of the special fund as grants-in-aid for the counties.

According to the National Highway Traffic Safety Administration's *Countermeasures That Work: A Highway Safety Countermeasure Guide For State Highway Safety Offices, 10<sup>th</sup> Edition, 2020*, publicized sobriety checkpoints are highly effective in deterring impaired driving. "The CDC's systematic review of 15 high-quality studies found that checkpoints reduce alcohol-related fatal crashes by 9 percent (Bergen et al., 2014). Similarly, a meta-analysis by Erke et al. (2009) found that checkpoints reduce alcohol-related crashes by 17 percent, and all crashes by 10 to 15 percent."

During Federal Fiscal Year 2023, the county police departments conducted 827 checkpoints using federal grant funding. Each of the checkpoints cost approximately \$2,500 for officers' overtime. If the intent of this bill is to increase the number of checkpoints, a reasonable expectation would be an increase of approximately 500 additional checkpoints statewide, given the challenges the police departments are facing with staffing shortages. This equates to \$1,250,000 needed in the special fund.

Based on these estimates, we recommend increasing the annual vehicle registration fee by \$1, from \$46 to \$47, and depositing the \$1 per annual motor vehicle registration fee into the sobriety checkpoint special fund.

The HDOT also recommends deleting the requirement for each county to match funding they receive from the sobriety checkpoint special fund dollar-for-dollar. The checkpoints funded by this special fund will be supplementing checkpoints already funded by federal grant monies and/or county funds.

HDOT is primarily concerned about improving highway safety and protecting the lives of our community members and visitors. On average, over 40 percent of Hawaii's drivers who were involved in a fatal crash from 2020-2022 tested positive for having alcohol and/or drugs in their systems. Increasing the number of sobriety checkpoints throughout the state may increase the perceived risk of arrest and cause drivers to rethink driving while impaired and, instead, plan ahead for a sober ride.

The HDOT urges your support with H.B. 1933.

Thank you for the opportunity to provide testimony.



Date: February 4, 2024

To: The Honorable Representative Chris Todd, Chair  
The Honorable Representative Darius Kila, Vice Chair  
Members of the House Committee on Transportation

Re: Comments on HB1933, Relating to Sobriety Checks.

Hearing: Tuesday, February 6<sup>th</sup>, 2024, at 10:00am, Conference Room 312

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### Position: Comments

Aloha, my name is Rick Collins, the Director of the Hawai'i Alcohol Policy Alliance (Alliance), a program of the Hawai'i Public Health Institute.<sup>i</sup> This bill would establish a sobriety checkpoints special fund to provide funding to county law enforcement agencies to staff sobriety checks.

Reducing alcohol-related traffic deaths and crashes is important. The Alliance appreciates the Legislature's desire to keep our roadways safer. It is vital that proposed strategies follow best-practice when implemented.

While research science supports DUI checkpoints as an effective strategy to reduce alcohol-related traffic crashes and fatalities, their effectiveness is determined by the way in which they are implemented. A number of factors influence the effectiveness of sobriety checkpoints including the time of day in which they are conducted, the place they occur in the community (high-risk areas near bars/restaurants vs. low-risk areas), the frequency of checkpoints, and the way in which they're publicized.<sup>ii</sup> There is also anecdotal perceptions that DUI checkpoints may racially profile certain groups and have a disparate impact on some groups over others.

The Alliance urges the Legislature to further research efficacious implementation practices to ensure that the DUI checkpoints have the highest level of impact in deterring drinking and driving on our roadways. In order to do so, this proposed strategy should be included for consideration by the work group proposed in HB1934. This approach provides an opportunity for a body of experts to review the best practices in implementing effective and routine DUI checkpoints, which would have the highest level of impact in reducing alcohol-related crashes and fatalities. Meta-analyses suggests that DUI checkpoints that follow best-practice implementation are associated with a 20-26% reduction on alcohol-related traffic fatalities and a 20% reduces in total crashes.<sup>iii</sup>



We appreciate the Legislature's desire to address alcohol impairment on our roadways. We advocate for policies that are supported by science and have been shown to be the most effective. This strategy should be considered by the work group of HB1934, allowing time to review and propose best-practice implementation strategies to ensure the greatest impact in reducing alcohol-related traffic crashes and fatalities. We ask you to move the DUI checkpoint strategy in HB1594 into the list of proposed strategies in HB1934, which will allow time to ensure that DUI checkpoints can be implemented to ensure the highest impact on alcohol-impaired driving.

Mahalo for your consideration of our testimony on this important measure.

Rick Collins

Director  
Hawai'i Alcohol Policy Alliance

If you have any questions, please feel free to contact me at [rick@hiphi.org](mailto:rick@hiphi.org) or (808) 591-6508, x22.

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<sup>i</sup> Hawai'i Public Health Institute is a hub for building healthy communities, providing issue-based advocacy, education, and technical assistance through partnerships with government, academia, foundations, business, and community-based organizations.

<sup>ii</sup> Babor, T., et al. (2023). *Alcohol: No Ordinary Commodity* (3rd ed.). Oxford University Press.

<https://global.oup.com/academic/product/alcohol-no-ordinary-commodity-9780192844484?cc=us&lang=en#>

<sup>iii</sup> Ibid.



TO: Rep. Chris Todd, Chair  
Rep. Darius K. Kila, Vice Chair  
Committee on Transportation

FR: Shannon Woods, Chief Legal and Strategy Officer  
Intoxalock

**RE: HB1933 RELATING TO SOBRIETY CHECKS.**

DATE: Tuesday, February 6, 2024

TIME: 10:00 AM; VIA VIDEOCONFERENCE; Conference Room 312

Chair Todd, Vice Chair Kila and members of the Committee on Transportation:

My name is Shannon Woods, Chief Legal and Strategy Officer for Intoxalock. Intoxalock is one of the largest providers of breath alcohol ignition interlock devices in the United States, meeting state requirements in 46 states across the nation. For 30 years, Intoxalock devices have been keeping hundreds of thousands of intoxicated persons from driving. We are also committed to supporting public policy and legislation which reduces driving under the influence.

Intoxalock supports HB1933 which provides an appropriation, funding mechanism from vehicle registration fees, and establishes a special fund to provide funding to county law enforcement agencies for staffing for sobriety checks. Because Intoxalock has a national presence throughout the US, the company monitors and supports public policy and legislation which reduces drunk driving.

According to the National Transportation Highway Safety Administration, sobriety checkpoints are an effective means to deter and enforce drunk driving when combined with publicity. Having such deterrents, including broad access to tools like ignition interlock programs, can play a significant role in stopping driving while intoxicated.

Strengthening Hawai's drunk driving laws saves lives. We urge this Committee to support HB1933. Thank you for the opportunity to testify on this matter.

Sincerely,

/S/

SHANNON WOODS  
Chief Legal and Strategy Officer  
Intoxalock  
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**HB-1933**

Submitted on: 2/4/2024 1:47:45 PM

Testimony for TRN on 2/6/2024 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Yvonne Alvarado	Individual	Oppose	Written Testimony Only

Comments:

I Yvonne Alvarado Oppose Bill HB1933