

Honolulu, Hawaii

FEB 28 2025

RE: S.B. No. 1285
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B.
No. 1285, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Increase safety and reduce deaths on the State's roadways due to alcohol consumption by establishing a new traffic infraction for those driving with a blood alcohol concentration between .05 grams and .079 grams; and
- (2) Require the Department of the Attorney General to report certain information on cases relating to certain offenses related to impaired driving.

Your Committee received testimony in support of this measure from the National Transportation Safety Board, Office of the Prosecuting Attorney of the County of Hawai'i, Hawai'i County Police Department, one member of the Hawai'i County Council, Kalihi Palama Neighborhood Board No. 15, Hawaii Substance Abuse Coalition, Metropolitan Planning Organization, Mala Hanai Pua LLC, SparksInitiatives, Hale Opio Kauai and Ho'okele Coalition, Hawai'i Alcohol Policy Alliance, Maikai Cleaning Services LLC, and numerous individuals.



Your Committee received testimony in opposition to this measure from one individual.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that the National Highway Traffic Safety Administration reports that alcohol-impaired driving is the deadliest and most costly risk on the nation's roadways, causing about thirty-seven deaths daily. Your Committee further finds that studies, including those by the National Academies of Science, Engineering, and Medicine, show that lowering the blood alcohol concentration limit is a proven, effective measure to reduce alcohol-related fatalities. This measure will enhance public safety and promote responsible drinking and more conscientious behaviors, such as the use of designated drivers.

Your Committee has amended this measure by:

- (1) Inserting language to establish the process to automatically suspend the license of a person arrested for driving under the influence;
- (2) Inserting language that allows a person whose license is automatically suspended for driving under the influence to contest the suspension;
- (3) Amending the process for administrative review of a suspended license by the Administrative Driver's License Revocation Office;
- (4) Amending section 1 to reflect its amended purpose;
- (5) Inserting an effective date of April 23, 2057, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 1285, S.D. 1, as amended herein, and recommends that it pass
Third Reading in the form attached hereto as S.B. No. 1285,
S.D. 2.

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

Karl Rhoads

KARL RHOADS, Chair



The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB 1285, SD1	Committee Referral: TCA, JDC	Date: 2/28/25		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Pass, unamended 2312 </div> <div> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div> <input type="checkbox"/> Hold 2310 </div> <div> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
CHANG, Stanley	✓			
SAN BUENAVENTURA, Joy A.				✓
AWA, Brenton	✓			
TOTAL	4	—	—	1
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: 				
<div style="display: flex; justify-content: space-between; font-size: small;"> <div>Distribution:</div> <div>Original</div> <div>Yellow</div> <div>Pink</div> <div>Goldenrod</div> </div> <div style="display: flex; justify-content: space-between; font-size: x-small; margin-top: 5px;"> <div>File with Committee Report</div> <div>Clerk's Office</div> <div>Drafting Agency</div> <div>Committee File Copy</div> </div>				

***Only one measure per Record of Votes**