



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF TRANSPORTATION | KA 'OIHANA ALAKAU
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HONOLULU, HAWAII 96813-5097

Tuesday, February 11, 2025
9:30 a.m.
State Capitol, Room 430 & Videoconference

H.B. 1387
RELATING TO THE USE OF INTOXICANTS WHILE OPERATING A VEHICLE

House Committee on Transportation

The Hawaii Department of Transportation (HDOT) **supports H.B. 1387**, relating to the use of intoxicants while operating a vehicle. This proposed bill would lower the blood alcohol content threshold for driving while under the influence of an intoxicant.

Laboratory and driving simulator studies have found that most adults, even experienced drinkers who typically reach BACs of .15 or greater, are significantly impaired at .05 BAC, with critical driving-related skills such as divided attention, braking, tracking, perception, and reaction time impacted.¹

Lowering the per se limit from .08 to .05 is a proven countermeasure that has reduced alcohol-impaired driving fatalities in other countries. As stated in the National Transportation Safety Board's *Reaching Zero: Actions to Eliminate Alcohol-Impaired Driving*, "a study of per se BAC reductions in several European countries (Albaladejo 2008, 20-39) found that the change from a 0.08 to a 0.05 per se BAC limit reduced traffic fatalities by 8-12 percent among people aged 18-49. Finally, in Australia, fatal crashes decreased significantly in two states (by 18 percent in Queensland and by 8 percent in New South Wales after those states lowered their per se BAC limits from 0.08 to 0.05 (Henstridge, Homel, and Mackay 1997).² Most other industrialized nations around the world have already lowered their illegal per se limits; Australia, Austria, Belgium, Finland, France, Germany, Greece, Ireland, Italy, New Zealand, Scotland, Spain, and Switzerland are just a few of the countries with a .05 illegal BAC limit, while Japan, Norway, Poland, Sweden, and Taiwan have set their limits at .03 or .02.

According to a meta-analysis of studies on lowering BAC in general, researchers found a 11.1 percent decline in fatal alcohol-related crashes from lowering the BAC to .05 or

¹ Fell, James C. and Robert B. Voas. "The effectiveness of a 0.05 blood alcohol concentration (BAC) limit for driving in the United States." *Addiction* (2014): 869-874.

² National Transportation Safety Board. 2013. *Reaching Zero: Actions to Eliminate Alcohol-Impaired Driving*. Safety Report NTSB/SR-13/01. Washington, DC: NTSB.

lower. They estimate that 1,790 lives would be saved each year if all states adopted a .05 BAC limit.³

Lowering the illegal BAC limit does not mean that people are no longer allowed to drink; we would just like to separate the acts of drinking and driving to keep all of our roadway users safe.

The HDOT is primarily concerned about improving highway safety and protecting the lives of our community members and visitors. Changing the illegal per se limit is a start to change behaviors so that people plan ahead and arrange for alternatives to driving while impaired, such as using rideshare or public transportation, or designating a sober driver.

We respectfully urge the Committee to pass this measure.

Thank you for the opportunity to provide testimony.

³ James C. Fell, M.S., Michael Scherer, Ph.D. "Estimation of the Potential Effectiveness of Lowering the Blood Alcohol Concentration (BAC) Limit for Driving from .08 to .05 grams per deciliter in the United States." *Alcohol Clin Exp Res.* (2017): 2128-2139.

C. Kimo Alameda, Ph.D.
Mayor



Benjamin T. Moszkowicz
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February 10, 2025

Representative Darius Kila
Chairperson and Committee Members
Committee on Transportation
415 South Beretania Street
Honolulu, Hawai'i 96813

RE: HOUSE BILL 1387; RELATING TO THE USE OF INTOXICANTS WHILE OPERATING A
VEHICLE
HEARING DATE: FEBRUARY 11, 2025
TIME: 09:30 A.M.

Dear Representative Kila:

The Hawai'i Police Department **strongly supports** House Bill 1387, which proposes reducing the legal BAC limit for driving under the influence (DUI) from .08 grams to .05 grams per 100 milliliters of blood or 210 liters of breath. In 2024 alone, 11 of the 26 fatal crashes in Hawai'i County involved a driver impaired by alcohol, highlighting the urgent need for stronger measures. The National Transportation Safety Board (NTSB) has recommended a BAC limit of 0.05 to reduce alcohol-impaired driving. This bill aligns Hawai'i with this national effort, supported by research showing that drivers are impaired at this level and that the risk of crashes, especially fatal ones, increases significantly.

Research from various countries supports the effectiveness of lowering the BAC limit to 0.05 in reducing alcohol-related crashes. For example, Austria saw a 9.4% reduction in alcohol-related crashes following the BAC limit reduction from 0.08% to 0.05% (Bartl and Esberger, 2000). In Australia, Queensland experienced an 18% reduction in fatal crashes with the 0.05 limit (Henstridge et al., 1995). Japan's adoption of the 0.05 limit led to a dramatic 66% decrease in alcohol-related traffic deaths (Deshapriya and Iwase, 1998). These findings underscore the significant safety benefits that could result from lowering the BAC threshold to 0.05, as similar laws have proven successful in reducing alcohol-impaired driving globally.

For these reasons, we urge this committee to **approve** this legislation. Thank you for allowing the Hawai'i Police Department to provide comments on House Bill 1387.

Sincerely,


BENJAMIN T. MOSZKOWICZ
POLICE CHIEF

PUBLIC DEFENDER

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February 10, 2025

H.B. 1387: RELATING TO THE USE OF INTOXICANTS WHILE OPERATING A VEHICLE

Chair Kila, Vice-Chair Grandinetti, and Members of the Committee:

The Office of the Public Defender respectfully opposes H.B. No 1387.

This measure proposes to lower the threshold blood alcohol concentration (BAC) for the offense of Operating a Vehicle Under the Influence of an Intoxicant (OVUII). Specifically, the measure reduces the threshold from 0.08% blood alcohol content (BAC) to 0.05% BAC. It also proposes to lower the threshold BAC to 0.02% to presume that a defendant was not under the influence of alcohol at the time of the alleged violation. For reasons stated below, we oppose this measure.

First, the reduction of the threshold BAC is simply not necessary. There is nothing to prevent the police to arrest a person and the prosecutor to charge a person whose BAC level is under 0.08%. Hawaii already has a statute which criminalizes drivers whose BAC level is under 0.08 %. HRS § 291E-61(a) provides, in pertinent part:

(a) A person commits the offense of operating a vehicle under the influence of an intoxicant if the person operates or assumes actual physical control of a vehicle:

(1) While under the influence of alcohol in an amount sufficient to impair the person's normal mental faculties or ability to care for the person and guard against casualty;

Accordingly, the police can arrest, the prosecutor can charge, and the court can convict a person for OVUII by only presenting evidence of bad driving (e.g., weaving, unsafe lane change, reckless driving), inidicia of consuming alcohol (e.g.,

red, watery, or glassy eyes; odor of alcohol, flushed face, slurred speech, unsteady on feet) and poor performance on the field sobriety tests. Indeed, prosecutors in the City and County of Honolulu are able to achieve convictions for OVUII under HRS § 291E-61(a) without the introduction of BAC evidence at trial.

Second, a reduction of the alcohol impairment level to 0.05% BAC, and a reduction to 0.02% BAC for the legal presumption simply casts too wide a net and will result in criminalizing the behavior of normally responsible drinkers without having an impact on reducing alcohol-related fatalities. There are many responsible drinkers who drink but do not drive impaired. A responsible drinker, who limits their alcohol consumption to one to two drinks, can drive safely.

Many drivers with a 0.05% BAC, much less a 0.02% BAC, do not exhibit the kind of impaired skills that cause them to drive unsafely. Yet despite operating their vehicles in accordance with all other traffic laws and not putting themselves or others at risk, this group of law-abiding drivers will constitute a new class of criminals under this proposed law.

The individuals who drive drunk and seriously injure or kill innocent people are not those with a BAC of 0.02% to 0.05%. The high-level BAC drivers are alcohol dependent and/or uncaring individuals. A reduction of the BAC will not stop such people from drinking and driving.

Third, this proposed law will result in a significantly higher workload for an already overburdened police department and legal system. Police officers busy arresting an individual with a BAC level as low as 0.02%, who is not a danger to the community, may not be able to stop and arrest a dangerous individual with a 0.10 or 0.15% BAC level. An OVUII arrest of an individual involves multiple officers who will be pulled off patrol to investigate, including the officer that conducts the stop, another officer that conducts the field sobriety tests, an arresting officer, and an officer that conducts the breathalyzer. All of these officers typically prepare reports and other paperwork related to the investigation and arrest. Pulling several officers off patrol to investigate and arrest an individual with a BAC level as low as 0.02% means less officers on patrol to stop and arrest highly-intoxicated drivers.

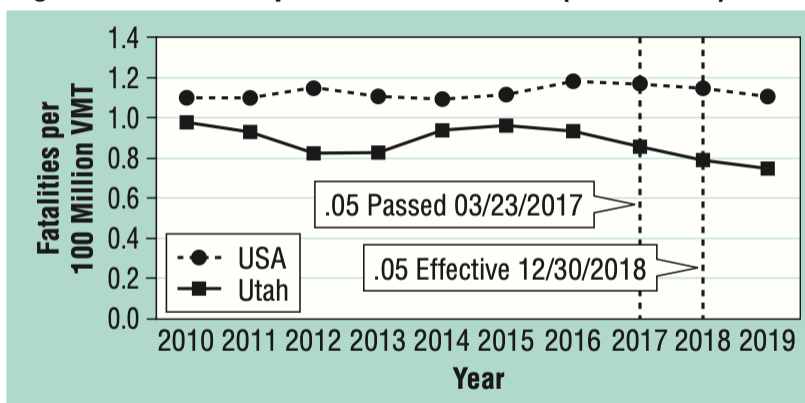
Fourth, another collateral consequence will be increased court congestion, which will lead to dismissals of cases with higher-BAC levels that are never able to go to trial. In order to deal with the increased cases, the Legislature will need to build additional courtrooms and hire more judges, prosecutors, and public defenders. As a result of this law, more OVUII cases would either be dismissed due to a violation of Rule 48 of the Hawai'i Rules of Penal Procedure and/or a constitutional speedy

trial violation or be plea bargained down to reckless driving offense. Increasing the caseload by prosecuting individuals with a BAC level as low as 0.02% will only jeopardize the successful prosecution of individuals with higher-BAC levels. The judicial system can only process a finite number of cases.

Fifth, this proposed law has not been widely-accepted nationally. Hawai‘i would be the only U.S. state, other than Utah, to pass such a law. The failure of this type of law to pass in other U.S. states reflects that our society is not interested in criminalizing driving safely after consuming one or two alcoholic drinks.

Furthermore, the National Highway Traffic Safety Administration (NHTSA) report regarding the results of Utah’s 0.05% BAC law, which is often cited by proponents of this measure, is misleading.¹ The report purports to show that traffic fatalities were reduced because of the change in Utah’s OVUII law from 0.08% BAC to 0.05% BAC. The report compares data from 2016 (the last full year before the law was passed) and 2019 (the first full year the law was in effect). The data does show a decrease in the first full year. ***This, however, is a misleading comparison because their data also shows that the fatality rates have varied in Utah regardless of the law change.*** Figure 1 (see below) in the report shows that over the past 10 years the fatality rates have varied in Utah – with fatalities in 2012 and 2013 occurring at a similar rate to 2019:²

Figure 1. Fatalities per 100 Million VMT (FARS Data)



¹ NHTSA, “Evaluation of Utah’s .05 BAC Per Se Law,” *Traffic Tech*, February 2022, available at <https://rosap.nhtl.bts.gov/view/dot/60427> (last visited, February 19, 2023).

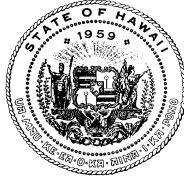
² *Id.*

In addition, fatality rates have declined nationwide similarly between 2016 and 2019 despite no enactment of the .05% BAC law nationally. Hence, the rates seen in Utah may be due to natural variation or some other unaccounted factors.

In conclusion, to minimize the devastating effects of drunk driving, Hawai'i should concentrate on keeping people with higher-BAC levels and repeat offenders off the road rather than reducing the OVUII threshold from 0.08% BAC to 0.05% BAC, and reducing the legal presumption of non-intoxication to 0.02% BAC.

Thank you for the opportunity to comment on H.B. 1387.

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



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**Testimony in SUPPORT of HB1387
RELATING TO USE OF INTOXICANTS WHILE OPERATING A VEHICLE**

REPRESENTATIVE DARIUS KILA, CHAIR
HOUSE COMMITTEE ON TRANSPORTATION

Hearing Date, Time and Room Number: February 11, 2025, 9:30AM, Room 430

1 **Fiscal Implications:** None

2 **Department Position:** The Department strongly supports this measure.

3 **Department Testimony:** The Alcohol and Drug Abuse Division (ADAD) provides the
4 following testimony on behalf of the Department.

5 The bill will lower the blood alcohol concentration (BAC) threshold for driving while under the
6 influence of an intoxicant.

7 More alcohol-impaired driving prevention work to change practices and attitudes to driving after
8 drinking is needed because the percentage of deaths involving alcohol still remains high.

9 According to the Fatality Analysis Reporting System (FARS), 33.5% of driving deaths in Hawaii
10 between 2017-2021 involved alcohol; an increase from 31.5% for the 2016-2020 period, and
11 higher than the national average of 26.3%, placing Hawaii in the worst quartile of states. States
12 in the top two quartiles have a value lower than 27.9% while states in the worst quartile have a
13 value higher than 32.3%. And the 2023 Hawaii Uniform Crime Report also shows 3,466 DUI
14 arrests for adults and adolescents.

15 Alcohol impairment impacts a driver's thinking, reasoning, and muscle coordination. The
16 National Highway Traffic Safety Administration (NHTSA) notes that drivers are generally
17 impaired at a 0.05% BAC with the following typical effects: exaggerated behavior, may have

1 loss of small-muscle control (e.g., focusing your eyes), impaired judgment, usually good feeling,
2 lowered alertness, and release of inhibition.

3 NHTSA also notes that predictable effects on driving include reduced coordination, reduced
4 ability to track moving objects, difficulty steering, and reduced response to emergency driving
5 situations.

6 Lowering the BAC to 0.05% is an evidence-based practice adopted by over one hundred
7 countries, including nearly all European countries, Australia, New Zealand, Canada, Japan, and
8 most other industrialized Asian countries. For the last decade the National Transportation Safety
9 Board (NTSB) has recommended that all fifty states adopt a BAC of 0.05% and estimated it
10 could save at least 1,700 lives annually. The CDC also identified lowering BAC from 0.08% to
11 0.05% as a general deterrent to reduce alcohol-impaired drivers, including those at highest risk.
12 And the Substance Abuse and Mental Health Services Administration (SAMSHA) also
13 encourages lowering the BAC to decrease drunk driving incidents.

14 As rates of alcohol use and related harms remain high, communities can benefit from guidance
15 on the most effective options to prevent and reduce alcohol misuse. Lowering the BAC to 0.05%
16 is one of them.

17 The Department also supports the language in Section 9 that ensures that the 0.05% limit is not
18 repealed when amendments to HRS 291E from prior Acts are enacted on June 30, 2028.

19 **Offered Amendments:** None

20 Thank you for the opportunity to testify on this measure.

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THE HONORABLE DARIUS K. KILA, CHAIR
HOUSE COMMITTEE ON TRANSPORTATION
Thirty-Third State Legislature
Regular Session of 2025
State of Hawai'i

February 10, 2025

RE: H.B. 1387; RELATING TO USE OF INTOXICANTS WHILE OPERATING A VEHICLE

Chair Kila, Vice Chair Grandinetti, and members of the House Committee on Transportation, the Department of the Prosecuting Attorney for the City and County of Honolulu submits the following testimony in support of H.B. 1387.

H.B. 1387 lowers the allowable level of blood-alcohol content ("BAC") from 0.08 to 0.05, as measured in grams of alcohol per 210 liters of breath or per 100 milliliters (or cubic centimeters) of blood. The Department believes this change would deter potential offenders and provide reasonable time for testing drunk-driving suspects.

This bill extends these amendments beyond the projected sunset on June 30, 2028.

Under the current law, police generally test someone's BAC by breath or blood test within three hours of arrest for operating a vehicle under the influence of an intoxicant ("OVUII"). But a person continues metabolizing alcohol during that whole time. So someone who drove with a BAC over 0.08 could produce results three hours later below 0.08.

Most industrialized countries have adopted a 0.05 BAC threshold with documented benefits. In 2022, the United States Department of Transportation studied the effect of Utah's law, which became the first in the country to adopt the 0.05 standard.¹ It found measurable reduction in vehicle collisions, without a corresponding spike in DUI arrests.

Reducing impaired driving is critical for public safety. The Department of the Prosecuting Attorney for the City and County of Honolulu strongly supports the passage of H.B. 1387. Thank you for the opportunity to testify.

¹ A. Berning, *Evaluation of Utah's .05 BAC Per Se Law*, UNITED STATES DEPARTMENT OF TRANSPORTATION (February 2022), available at <https://rosap.ntl.bts.gov/view/dot/60427>.

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OFFICE OF THE PROSECUTING ATTORNEY
TESTIMONY IN SUPPORT OF HOUSE BILL 1387

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

COMMITTEE ON TRANSPORTATION
Representative Darius K. Kila, Chair
Representative Tina Nakada Grandinetti, Vice Chair

Tuesday, February 11, 2025 at 9:30 a.m.
Via Videoconference
State Capitol Conference Room 430
415 South Beretania Street

Honorable Chair Kila, Vice-Chair Grandinetti and Members of the Committee on Transportation. The County of Hawai‘i, Office of the Prosecuting Attorney submits the following testimony in support of House Bill No. 1387.

This bill was drafted with the intent to lower the threshold blood alcohol concentration (“BAC”) for the offense of operating a vehicle while under the influence of an intoxicant from .08 to .05 grams of alcohol per two hundred ten liters of breath and .08 to .05 grams of alcohol per one hundred milliliters or cubic centimeters of blood.

According to the National Highway Transportation Safety Administration (“NHTSA”), “[e]very day, about 37 people in the United States die in drunk-driving crashes — that’s one person every 39 minutes. In 2021, 13,384 people died in alcohol-impaired driving traffic deaths — a 14% increase from 2020. These deaths were all preventable.”¹

There is strong scientific evidence to consider lowering BAC to .05. According to nationally recognized traffic safety researcher James C. Fell, Principal Research Scientist, Department of Economics, Justice and Society, National Opinion Research Center (“NORC”) at the University of Chicago, “[t]he risk of being in a crash begins to rise substantially at .05 blood alcohol concentration and higher when compared to drivers with zero blood alcohol concentration.”² Fell further reasoned, that “[a] recent meta-analysis of international studies on

¹ <https://www.nhtsa.gov/risky-driving/drunk-driving>.

² United Nations Economic and Social Commission for Asia and the Pacific, December 2019, “*Strategies to Tackle the Issue of Impaired Driving for Road Safety in the Asia-Pacific Region: Implementation Framework*,” report prepared by James C. Fell, Principal Research Scientist, Department of Economics, Justice and Society, National

lowering the blood alcohol concentration limit shows that when countries lower the blood alcohol concentration limit to .05 blood alcohol concentration or lower, there is an 11 per cent decline in fatal alcohol-related crashes associated with that countermeasure.³”

In 2013, the National Traffic Safety Board recommended that all fifty states adopt a BAC cutoff of .05 in an effort to reduce traffic fatalities associated with drinking and driving. This is not a new trend or idea as most industrialized countries around the world already have far stricter BAC limits when compared to the United States. According to the World Health Organization’s Global Status Report on Road Safety in 2018, 89 countries had already implemented a .05 BAC threshold. Following that trend, in 2019, Utah became the first state to lower its BAC limit to .05. According to a February 2022 report by NHTSA, there was a 19.8% reduction in the number of fatal car crashes in the 21-month period following the passage of Utah’s law.

A .05 BAC limit will serve as a general deterrent to all those who choose to drink and drive. This deterrent factor will contribute to fewer drivers driving drunk resulting in a decrease in the number of alcohol-related fatal traffic collisions. Given the growing concerns surrounding the number of alcohol-related fatalities across our State, the time has come to conform with the international trends and follow the Utah example in hopes of reducing the number of alcohol-related traffic collisions on our roads and consequently saving lives.

The County of Hawai‘i, Office of the Prosecuting Attorney supports House Bill No. 1387 and agrees that lowering the threshold BAC for the offense of operating a vehicle while under the influence of an intoxicant from .08 to .05 grams will be an effective public health strategy to address Hawai‘i’s current epidemic of impaired driving, reduce the number of traffic fatalities across the State, and make Hawai‘i’s roads safer.

The County of Hawai‘i, Office of the Prosecuting Attorney remains committed to pursuing justice with integrity and commitment. For the foregoing reasons, the County of Hawai‘i, Office of the Prosecuting Attorney supports the passage of House Bill No. 1387. Thank you for the opportunity to testify on this matter.

Opinion Research Center (“NORC”) at the University of Chicago, available at, <https://www.unescap.org/sites/default/files/Strategies%20to%20Tackle%20the%20Issue%20of%20Impaired%20Driving%20for%20Road%20Safety.pdf>.

³ *Id.*



HB1387 Lower Blood Alcohol Concentration for Driving

COMMITTEE ON TRANSPORTATION

Rep. Darius K. Kila, Chair

Rep. Tina Nakada Grandinetti, Vice Chair

Tuesday, Feb 11, 2025: 9:30: Room 430 Videoconference

Hawaii Substance Abuse Coalition Supports HB1387:

ALOHA CHAIR, VICE CHAIR, AND DISTINGUISHED COMMITTEE MEMBERS. My name is Alan Johnson. I am the current chair of the Hawaii Substance Abuse Coalition (HSAC), a statewide organization for substance use disorder and co-occurring mental health disorder treatment and prevention agencies and recovery-oriented services.

HSAC provides research data from the National Institute of Health that supports lowering the BAC limit to .005.¹

It is fairly well-known that a **0.05 BAC limit has the science behind it** to support such a measure. In summary, here are some of the key reasons:

Driving is impaired at 0.05 BAC. Research conducted over the past 30 years clearly indicates that most drivers are impaired at 0.05 BAC and higher with regard to driving performance. Regardless of age, gender, ethnicity, and drinking experience, laboratory, driving simulator, and test track experiments indicate impairment for most participants at 0.05 BAC.

In case-control experimental research, the **risk of being in a crash begins to rise substantially at 0.05 BAC** and higher when compared with drivers with 0.00 BAC.³

Lowering their BAC limit for driving to 0.05 g/dL has reduced alcohol-related traffic fatalities in several countries, most notably Australia. A recent meta-analysis of international studies on lowering the BAC limit found that when countries lowered their BAC limit to 0.05 BAC or lower, there was an 11.1%

¹ National Institute of Health, National Library of Medicine: PubMed Central: Fell JC. Another Major Reason to Lower the Blood Alcohol Concentration Limit for Driving. Am J Public Health. 2019 May;109(5):670-671. doi: 10.2105/AJPH.2019.304987. PMID: 30969815; PMCID: PMC6459663.
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6459663/#:~:text=The%20risk%20of%20a%20crash,with%20drivers%20with%200.00%20BAC.&text=Evaluation%20studies%20show%20that%20when,dL%2C%20decreases%20in%20crashes%20occur.>

decline in fatal alcohol-related crashes associated with that countermeasure according to the meta-analysis.⁴

A 0.05 BAC is not typically just one or two drinks. For the average 170-pound **man, it would take at least four alcoholic drinks in two hours** on an empty stomach to exceed a 0.05 BAC. The average 137-pound **woman would have to drink three glasses of wine** on an empty stomach in two hours to reach or exceed a 0.05 BAC.

Surveys show that the public supports levels below 0.08 BAC. A survey conducted by the AAA Foundation for Traffic Safety indicated that **63%** of a representative sample of drivers in the United States are in favor of lowering the illegal BAC from 0.08 g/dL to 0.05 g/dL.⁵

Close to 100 countries around the world have set BAC limits at 0.05 BAC or lower. All states and territories in Australia have a 0.05 BAC limit, and their per-capita alcohol consumption is higher than that in the United States. Most of Europe, including Spain, France, Austria, Italy, and Germany have established their limit at 0.05 g/dL, while Sweden, Norway, Japan, and Russia have enacted their BAC limit at 0.02 g/dL.

The percentage of US traffic fatalities involving an **alcohol-impaired driver has been around 30% for more than 20 years.** If states lowered their BAC limit from 0.08 g/dL to 0.05 g/dL, studies show that hundreds of lives could be saved. A 0.05 BAC limit has the potential to serve as a general deterrent to all those who drink and drive.

FURTHER EVIDENCE FOR 0.05

There is a growing body of research on alcohol harm to others documenting the [prevalence of a wide range of harms to others attributable to alcohol. These harms to communities include noise, vandalism, property damage, spousal abuse, child neglect, and work-related problems.](#) This enhances the position in the essay on alcohol's harm to others. See Greenfield et al.⁶ and Karriker-Jaffe et al.⁷ for more detailed evidence.

We appreciate the opportunity to provide testimony and are available for questions.

February 10, 2025

Chair Darius Kila
House Committee on Transportation
Hawaii State Capitol, Room 442
Honolulu, HI 96813

RE: HB 1387 (Garrett) – Lower Blood Alcohol Content
Position: Support

Dear Chairman Kila,

AAA Hawai'i supports HB 1387 introduced by House Representative Garrett, lowering the blood alcohol concentration (BAC) threshold for driving while under the influence of alcohol from .08 to .05 or more grams of alcohol to reduce impaired driving and fatal crashes.

Impaired driving remains one of the most significant contributors to traffic crashes, injuries, and fatalities, in the U.S. Of all fatal crashes in 2021, the last year with complete data, 31% involved an alcohol-impaired driver with a blood alcohol concentration (BAC) level at or above 0.08, the legal limit in 49 states. The limit in Utah is 0.05. One person dies in an alcohol-impaired driving crash every 39 minutes. These realities are spurring a re-examination of public policies, enforcement and adjudication strategies, and public awareness approaches.

Background

In 1910, New York became the first state to pass a law regulating impaired driving. More states enacted impaired driving laws in the 1930s, but drunk drivers in most states were only prosecuted if their BAC level was 0.15 or greater. Alcohol related traffic fatalities peaked at nearly 23,000 in 1982, prompting a federal response. President Clinton subsequently signed a transportation appropriations bill requiring all states to lower their BAC limit to 0.08, the recognized and scientifically based standard at the time, by October 2003 or risk losing federal highway funds. By 2004, every state had a BAC limit of 0.08 for noncommercial drivers and fatalities started to decrease.

Annual alcohol-related traffic deaths fell to 10,000 by 2010, but flatlined thereafter. Despite continuing public education campaigns, law enforcement, increased penalties, and other efforts to discourage driving after drinking, survey, observational, enforcement, and crash data show that too many people continue to drive impaired. Better, well founded, strategies are needed to push alcohol-impaired driving, crashes, injuries, and fatalities to substantially lower levels.

BAC and Driving Performance

Overwhelming research of impaired driving fatalities indicate that the current 0.08 BAC limit in 49 U.S. states is too high, and safety can be greatly improved with a lower BAC limit in more states, beyond Utah, which lowered its BAC limit to 0.05 in 2019.

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Almost all developed countries in the world now have a BAC limit of 0.05 or less. In Europe, studies have shown that when BAC limits were reduced from 0.08 to 0.05, alcohol-related fatal and injury crashes decreased between 5% and 10%. Studies suggest that if the BAC limit is lowered to 0.05 in the U.S., about 10-11% of alcohol-related driving fatalities could be eliminated, saving 1,000 to 1,800 lives per year.

There is an ever-growing body of research on the impact of alcohol on driving abilities. One study found a driver with a BAC of 0.02 to 0.05 has a three times greater risk of dying in a vehicle crash than drivers without alcohol in their system. This risk increased to at least six times with a BAC from 0.05 to 0.08. The bottom line is that the probability of a fatal crash rises significantly after 0.05 BAC.

According to the National Transportation Safety Board (NTSB), at 0.05 BAC, motorists experience reduced coordination, inability to track moving objects, steering difficulty, and longer response times to emergency driving situations. At 0.08, they suffer further losses in their ability to concentrate, control speed, and respond to changes in the driving environment. In the 2010s, as U.S. research showed increasing crash risks for drivers with a 0.05 to 0.08 BAC at seven times higher than without alcohol, federal motor carrier rules started to limit BAC for commercial drivers to 0.04, the current standard.

There is growing support for lowering the BAC limit for all drivers in the U.S. to 0.05. The NTSB initially endorsed the lower limit in 2013. Since then, MADD, the American Medical Association, the World Health Organization, the National Safety Council, and the Governors Highway Safety Association, among others, have joined NTSB in supporting the lower limit. AAA also supports lowering a .05 BAC limit.

Utah's Experience

Preliminary data from Utah's lower BAC limit has been encouraging. In 2022, NHTSA reported that Utah experienced a 19.8% drop in fatal crashes in 2019, the first year under the lower legal limit, and the number of people killed in traffic crashes decreased by 18.3%. This drop in crash and fatality rates was a significant improvement over the rest of the country, which only had a 5.6% fatal crash rate reduction and a 5.9% fatality rate reduction in 2019. This finding is backed by substantial research over many years in other countries showing that lowering the BAC limit results in a broad deterrent effect on driver behavior, reducing drinking drivers across the board, at all levels.

It is important to note that the alcohol and hospitality industries, among others, opposed the lower limit in Utah. But their concerns about increasing arrests, law enforcement costs, and the economic impacts of less alcohol consumption overall has not occurred, which is the same outcomes experienced in other countries that lowered their BAC limits.

A reduction in fatalities also occurred in the U.S. when most states move from a 0.10 to 0.08 BAC limit. During that time, the U.S. experienced a 10.4% reduction in alcohol-related fatalities without a change in alcohol consumption rates. Similarly, in 2019, the Utah Legislature reported per capita alcohol consumption and sales both increased after the new BAC limit was implemented. Lastly, compared to France, Spain, Germany, the United Kingdom, and many other developed countries in 2019, American alcohol consumption per capita was lower overall, yet we experienced more alcohol-related traffic fatalities on a per capita basis than other developed countries with a lower BAC limit. Based on these other experiences, we do not anticipate a negative economic impact to the local economy from lowering the BAC.

AAA Hawaii was founded in 1915 in Honolulu and is a leader in motorist services and a strong advocate for traffic safety. With over 170,000 members in Hawaii and 60 million nationwide, service to and the safety of our members, other motorists, and all road users is our founding and continuing purpose. *In an ongoing effort to change the directory of impaired driving rates, AAA supports lowering the state "illegal per se" statutes to meet stricter scientific standards for impairment.* From seat belts to helmets, all road users need to stay ready for the dangers around them. We share Representative Garrett's effort to road safety and encourage a YES vote on HB 1387.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Marianne Kim". The signature is fluid and cursive, with the first name "Marianne" written in a larger, more prominent script than the last name "Kim".

Marianne Kim
Senior Public Policy Specialist
Kim.Marianne@ace.aaa.com



HB1387 Lower Blood Alcohol Concentration for Driving

COMMITTEE ON TRANSPORTATION

Rep. Darius K. Kila, Chair

Rep. Tina Nakada Grandinetti, Vice Chair

Tuesday, Feb 11, 2025: 09:30: Room 430 Videoconference

Hina Mauka Supports HB1387.

ALOHA CHAIR, VICE CHAIR, AND DISTINGUISHED COMMITTEE MEMBERS. My name is Brian Baker. I am the Chief Operating Officer for Hina Mauka, a mental health and substance use disorder treatment and prevention agency for thousands of adults and adolescents on Oahu and Kauai, including recovery-oriented services and housing transitional living programs.

The percentage of US traffic fatalities involving an alcohol-impaired driver has been around 30% for more than 20 years. If states lowered their BAC limit from 0.08 g/dL to 0.05 g/dL, studies show that **hundreds of lives could be saved**. A 0.05 BAC limit has the potential to serve as a general deterrent to all those who drink and drive.

Close to 100 countries around the world have already set BAC limits at 0.05 BAC or lower. All states and territories in Australia have a 0.05 BAC limit, and their per-capita alcohol consumption is higher than that in the United States. Most of Europe, including Spain, France, Austria, Italy, and Germany have established their limit at 0.05 g/dL, while Sweden, Norway, Japan, and Russia have enacted their BAC limit at 0.02 g/dL. As you can see, we in Hawai'i have yet to make this important change. It is our kuleana to support this change.

We appreciate the opportunity to provide testimony and are available for further questions.

Dear Chair Kila, Vice Chair Grandinetti, and Members of the Committee,

My name is Makena Young, and I represent Mothers Against Drunk Driving (MADD). I am submitting this testimony in strong support of HB1387, which seeks to lower the legal blood alcohol concentration (BAC) limit from .08 to .05. This legislation is a critical step toward reducing impaired driving and saving lives on Hawai'i's roads.

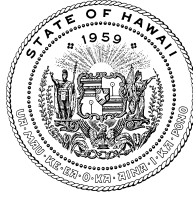
First, I want to put Committee members at ease regarding the common notion that lowering the blood alcohol concentration (BAC) to .05 will hurt the hospitality and alcohol industries. It is a myth, both abroad and in Utah. In Utah, in fact, alcohol sales have increased 28% since the introduction of .05 BAC in 2018 (NHTSA).

As members of the Committee are well aware, one fatality due to drunk driving is one too many, and lowering the BAC to 0.05 presents a crucial step in preventing such tragic crashes. This measure has the potential to significantly reduce the risk of alcohol-related crashes, ultimately saving lives and preventing immeasurable pain and loss for families and communities.

The United States is an outlier nation with one of the highest BAC limits in the world and, as a result, has one of the highest DUI-related fatality rates in the world. Hawai'i's alcohol-related traffic fatalities rate is higher than the national average. From 2011-2022, at least 40 percent of traffic fatalities in Hawai'i involved alcohol. During the same timeframe, the national average for alcohol-related traffic fatalities hovered between 35 and 36 percent, bumping up to 37 percent in 2022. Not only would a 0.05 BAC serve as a general deterrent to intoxicated driving and prevent future deaths, it would significantly reduce this high fatality rate and make Hawai'i a public health leader in the nation on the issue.

According to the [National Highway Traffic Safety Commission](#) (NHTSA), about 37 people in the United States die in drunk-driving crashes every day — that's one person every 39 minutes. In 2022, 13,524 people died in alcohol-impaired driving traffic deaths. These deaths were all preventable. Lowering the BAC limit to 0.05 is not about drinking; it is about separating drinking from driving. It is about preventing crashes, injuries, and deaths and creating safer streets for everyone. Hawai'i, along with 6 other states that introduced similar legislation, has the opportunity to help set a new BAC standard for our nation. This law would improve the overall health and safety of all people in Hawai'i. I ask that you pass HB1387 and HB1084.

Mahalo for your time and consideration.



EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA

House Committee on Transportation

Tuesday, February 11, 2025

9:30 a.m.

State Capitol, Conference Room 430 and Videoconference

In Support

House Bill No. 1387, Relating to Use of Intoxicants While Operating a Vehicle

Chair Kila, Vice Chair Grandinetti, and Members of the House Committee on Transportation:

The Office of the Governor strongly supports House Bill No. 1387. This bill will lower the threshold blood alcohol concentration, also known as BAC, for driving while under the influence of an intoxicant.

The Office of the Governor believes lowering the BAC in Hawaii will force a change in attitudes and behavior towards drinking and driving. The Governor has treated victims of accidents caused by drunk driving and understands the impact that these tragedies have on victims and their families. Decreasing the BAC limit to 0.05% for the state could prevent crashes, injuries, and deaths, creating safer communities for everyone.

Thank you very much for the opportunity to provide testimony on this measure.

HB-1387

Submitted on: 2/10/2025 4:46:17 AM

Testimony for TRN on 2/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Lin McEwan (Thieman)	ProArts Playhouse Maui (ProArts Inc)	Support	Written Testimony Only

Comments:

Dear Members of the Hawai`i State Legislature,

I am writing to express my strong support for SB1577 broad funding for the performing arts across the State and through SFCA. The arts play an essential role in the cultural, social, and economic fabric of our state, and continued investment in this sector is crucial for its growth and vitality.

Cultural Heritage and Community Engagement

Hawai`i is home to a diverse and rich cultural heritage. The arts—whether through traditional Hawaiian music, dance, visual arts, or contemporary practices—serve as a reflection of our unique identity. They create spaces for people to connect with their history, celebrate their culture, and share stories across generations. Arts funding helps preserve and promote our heritage, allowing both residents and visitors to experience and appreciate the beauty of Hawaiian culture in dynamic ways.

Economic Impact

The arts are not just an expression of creativity; they also represent a significant economic driver. Creative industries in Hawai`i contribute to local economies through tourism, job creation, and the support of small businesses, including theaters and other performance spaces. Artists, performers, educators, and creatives across the state rely on arts funding to bring their work to life and ensure the sustainability of their businesses. In addition, art-driven tourism attracts visitors, which directly benefits our hospitality and retail sectors.

Education and Youth Development

Supporting arts funding also supports our youth. The arts provide a unique way for students to engage with their education and develop essential life skills such as critical thinking, problem-solving, and collaboration. When the arts are integrated into schools, students thrive in environments that encourage creativity and innovation. Through programs that provide art education, young people can explore their own talents, build confidence, and discover pathways to professional careers in the arts, fostering both personal and community growth.

Social and Emotional Well-being

In times of uncertainty, the arts have a profound ability to heal and unite communities. They provide an outlet for self-expression, encourage emotional resilience, and promote mental well-

being. By funding arts initiatives, we ensure that residents—especially in underserved communities—have access to transformative experiences that improve their quality of life.

Conclusion

In light of the manifold benefits to our economy, culture, youth, and well-being, I urge the Hawai‘i State Legislature to continue and increase its investment in the arts. By doing so, you will support the growth of a vibrant, inclusive, and creative community that is essential for the prosperity of our state.

Thank you for your consideration, and for your continued dedication to enriching Hawai‘i through the arts.

Sincerely,

Lin McEwan (Linda Thieman), Executive Director

ProArts Playhouse Maui

808-463-6550, lin@proartsmaui.org

HB-1387

Submitted on: 2/10/2025 7:12:50 AM

Testimony for TRN on 2/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Russell	Lokahi Treatment Centers	Support	Written Testimony Only

Comments:

Aloha House Committee on Transportation,

My name is [enter name here] from Lokahi Treatment Centers on the Big Island o Hawaii and I am submitting testimony in STRONG SUPPORT of HB1084 and HB1387.

Working daily with the adolescent and adults while conducting Driving Under the Influence classes surely brings the utmost attention to this issue. We need to save lives and families fro this tragedy awaiting to happen daily.

Even one fatality due to drunk driving is one too many, and lowering the Blood Alcohol Concentration (BAC) to 0.05 presents a crucial step in preventing such tragic crashes. This measure has the potential to significantly reduce the risk of alcohol-related crashes, ultimately saving lives and preventing immeasurable pain and loss for families and communities.

The United States is an outlier nation with one of the highest blood alcohol concentration (BAC) limits in the world and, as a result, has one of the highest DUI-related fatality rates in the world. Hawai‘i’s alcohol-related traffic fatalities rate is higher than the national average. From 2011-2022, at least 40 percent of traffic fatalities in Hawai‘i involved alcohol. During the same timeframe, the national average for alcohol-related traffic fatalities hovered between 35 and 36 percent, bumping up to 37 percent in 2022. Not only would a 0.05 BAC serve as a general deterrent to intoxicated driving and prevent future deaths, it would significantly reduce this high fatality rate and make Hawai‘i a public health leader in the nation on the issue.

Evidence shows a 0.05 BAC would create safer roads, reduce traffic fatalities and harms, and protect Hawai‘i’s residents, children, and families.

According to the [National Highway Traffic Safety Commission](#) (NHTSA), about 37 people in the United States die in drunk-driving crashes every day — that's one person every 39 minutes. In 2022, 13,524 people died in alcohol-impaired driving traffic deaths. These deaths were all preventable.

Lowering the BAC limit to 0.05 is not about drinking; it is about separating drinking from driving. It is about preventing crashes, injuries, and deaths and creating safer streets for everyone. Hawai'i, along with 6 other states that introduced similar legislation, has the opportunity to help set a new BAC standard for our nation. This law would improve the overall health and safety of all people in Hawai'i. I ask that you pass HB1084 and HB1387.

Mahalo for your time and consideration.

Russell Hamilton



Testimony of

Tom Chapman
National Transportation Safety Board

Before the

House Committee on Transportation
Hawaii State Legislature

– On –

HB 1387
Relating to Use of Intoxicants While Operating a Vehicle

–

Honolulu, HI • February 11, 2025

Good afternoon, Chair Kila, Vice Chair Grandinetti, and members of the committee. Thank you for the opportunity for the National Transportation Safety Board (NTSB) to testify before you today.

The NTSB is an independent federal agency charged by Congress with investigating aviation, marine, and rail accidents; commercial space launch and re-entry mishaps; highway crashes; and hazardous materials releases in pipelines and elsewhere in transportation. We determine probable cause and issue safety recommendations to prevent such events from happening again. We also conduct safety research.

The NTSB has no power to regulate or legislate, and we rely on the persuasive power of our comprehensive investigations and research to encourage the recipients of our recommendations to act to improve safety. We appreciate the opportunity to testify on our recommendation to Hawaii to lower its per se impairment threshold from .08 blood alcohol concentration (BAC) to .05.¹

Due to the lack of progress toward reducing the impact of impaired driving, in 2012, we held a forum, titled "Reaching Zero," that kicked off a year-long effort to assess impaired-driving countermeasures. The effort culminated with our 2013 report, *Reaching Zero: Actions to Eliminate Alcohol-Impaired Driving*,² which identified the most effective, scientifically based actions that could save lives from being lost to alcohol-impaired driving. One of these actions was to lower the per se impaired driving limit from .08 BAC to .05 BAC or lower for all drivers. We recommended that all states, the District of Columbia, and the Commonwealth of Puerto Rico reduce the alcohol impairment per se threshold to .05 or lower.³

We view our testimony today as an opportunity to support this committee's important work to save lives. Too many people are dying on our roads every year because of alcohol impairment. These deaths are 100-percent preventable, and fewer people will die when states lower the legal per se BAC limit from .08 to .05. This change has been made elsewhere without adverse economic consequences.

Simply put, .05 saves lives. The remainder of this testimony supports this conclusion.

¹ For the remainder of this testimony, we use the common shorthand of .08 and .05, omitting repeated references to units of measure for BAC and breath alcohol concentration (BrAC). Blood alcohol concentration (BAC) is commonly rendered without units, but it stands for the grams of alcohol per tenth of a liter, or deciliter, of blood. Breath alcohol concentration (BrAC) uses grams of alcohol per 210 liters of breath (alcohol is 2,100 times more concentrated in blood than in breath). As a result, .05 g/dL BAC, for example, is considered the equivalent of .05 g/210 liters BrAC.

² National Transportation Safety Board. 2013. *Reaching Zero: Actions to Eliminate Alcohol-Impaired Driving*. Safety Report NTSB/SR-13/01. Washington, DC: NTSB. Available at <https://www.nts.gov/safety/safety-studies/Documents/SR1301.pdf>.

³ NTSB Safety Recommendation H-13-5 <https://data.nts.gov/carol-main-public/sr-details/H-13-005>.

The Persistent Problem: Impaired-Driving Crashes Still Kill Thousands

Progress addressing impaired driving has stalled. In fact, over the past several years, the problem has gotten worse. In 2022, there were 13,524 alcohol-impaired driving fatalities in the United States—accounting for 32 percent of all traffic fatalities in 2022.^{4,5} Hawaii alone lost 37 lives to alcohol-impaired driving in 2022, 31 percent of all traffic fatalities.⁶

Impaired-driving crashes negatively impact people financially, too. The National Highway Traffic Safety Administration (NHTSA) last estimated the economic cost of all alcohol-involved crashes in the United States to be \$68.9 billion for 2019.⁷ So, although the ongoing tragedy of impaired driving *can* strike anybody, its economic burden *does* strike everybody.

Lowering the Per Se BAC Limit to .05

From 2006 to 2017,⁸ all states had a per se BAC threshold of .08 for noncommercial drivers aged 21 and over. But .08 BAC is not when impairment begins: drivers are impaired at .05 BAC. Individuals with a BAC of .05 experience lowered alertness, reduced coordination, impaired judgment, and difficulty tracking moving objects.⁹ Most of us would not want to be in the same vehicle as a driver experiencing those impairments, and neither should we want to share the road with those impaired drivers. These abilities are critical for safe driving and explain why drivers at a BAC of .05 have a 38-percent increased risk of being in a crash compared to a sober driver. There is a reason that it is already illegal for commercial truck and bus drivers to drive at a BAC of .04 or higher.

The science behind .05 BAC limits is also clear, well-documented, and irrefutable. More than 100 countries have established a BAC limit of .05 or lower to reduce alcohol-related crashes, and the benefits of the lowering BAC limits have been documented. A 2017 study estimated that this standard could result in an estimated 11-percent decline in fatal alcohol-related crashes and save at least 1,700

⁴ The National Highway Traffic Safety Administration (NHTSA) reports drivers as alcohol impaired at .08 BAC or greater. However, in 2022, an additional 2,337 people were killed in alcohol-related crashes where a driver had a BAC of .01 to .07.

⁵ National Center for Statistics and Analysis. 2024, August, Revised. *Alcohol-Impaired Driving: 2022 Data*. Traffic Safety Facts. Report No. DOT HS 813 578. Washington, DC: NHTSA.

⁶ National Center for Statistics and Analysis. 2024, May. *State Alcohol-Impaired-Driving Estimates: 2022 Data*. Traffic Safety Facts. Report No. DOT HS 813 579. Washington, DC: NHTSA.

⁷ Blincoe, L., Miller, T., Wang, J.S., Swedler, D., Coughlin, T., Lawrence, B., Guo, F., Klauer, S., and Dingus, T. 2022, December. *The Economic and Societal Impact of Motor Vehicle Crashes, 2019*. Report No. DOT HS 813 403. Washington, DC: NHTSA. Available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813403>.

⁸ In 2017, Utah lowered its per se threshold to .05 BAC, effective December 30, 2018.

⁹ The ABCs of BAC: A Guide to Understanding Blood Alcohol Concentration and Alcohol Impairment. 2016, July. Washington, DC: NHTSA. Available at <https://www.nhtsa.gov/sites/nhtsa.gov/files/809844-theabcsofbac.pdf>.

lives annually in the United States.¹⁰ This is not surprising, as similar benefits were realized when BAC limits were reduced from .10 to .08.

We can also learn from Utah's example. Utah lowered the state's legal BAC limit for noncommercial drivers from .08 to .05, effective December 30, 2018. In February 2022, NHTSA published a report, *Evaluation of Utah's .05 BAC Per Se Law*, comparing the state's crash data before and after the law went into effect.¹¹ The report found crash and fatality rates were reduced in Utah compared to the rest of the country. When vehicle miles traveled are considered, the fatal crash rate reduction from 2016 to 2019 in Utah was 19.8 percent, and the fatality rate reduction was 18.3 percent. In comparison, the rest of the United States showed a 5.6-percent fatal crash rate reduction and 5.9-percent fatality rate reduction during the same time. In addition, the neighboring states of Arizona, Colorado, and Nevada did not show the same levels of improvement in crash and fatality rates as Utah. Further, the study found that there was no impact on alcohol sales, tax revenues, or tourism in Utah.

During the COVID-19 pandemic, the United States experienced a significant increase in traffic fatalities, including impaired-driving fatalities. Utah was not immune to this, which also saw a similar effect. However, as traffic fatalities have leveled out, Utah saw a 30-percent decline in alcohol-impaired driving traffic fatalities in 2023 compared to 2022. There were also significant decreases in the total number of alcohol-related crashes and the alcohol-related fatal crash rate in 2023.¹²

Lowering the BAC limit to .05 causes a general deterrent effect—lowering the limit prevents drinking drivers of all BACs from getting behind the wheel. A 2019 Utah survey found that 22 percent of drinkers reported changing their behavior following the .05 law. The most frequent change was making sure alternate transportation was available when drinking away from home.¹³ This is where the power of lowering the BAC limit lies—drivers make better decisions when considering drinking and driving.

Support for .05

National and international traffic safety and public health organizations, including the American Medical Association; the World Health Organization; the World Medical Association; the Association for the Advancement of Automotive Medicine; the National Academies of Science, Engineering, and Medicine; the

¹⁰Fell, J.C. and Scherer, M. 2017. "Estimation of the potential effectiveness of lowering the blood alcohol concentration (BAC) limit for driving from 0.08 to 0.05 grams per deciliter in the United States." *Alcoholism: Clinical and Experimental Research*. 41(12) 2128-2139.

¹¹ National Center for Statistics and Analysis. 2022, February. *Evaluation of Utah's .05 BAC Per Se Law*. Traffic Tech Technology Transfer Series. Report No. DOT HS 813 234. Washington, DC: NHTSA.

¹² Utah Department of Public Safety. (2024). *Report on Utah's 0.05 BAC Law*. <https://wtsc.wa.gov/wp-content/uploads/2024/08/JUNE-2024-Report-on-Utahs-0.05-BAC-Law.docx.pdf>

¹³ Utah DPS, *Report on Utah's 0.05 BAC Law*.

American Public Health Association, Advocates for Highway and Auto Safety; and Mothers Against Drunk Driving have advocated setting BAC limits at .05 or lower.

Conclusion

Progress toward eliminating alcohol-impaired driving fatalities has stagnated, and more can—and should—be done to prevent these tragedies. The evidence is clear: *per se* BAC limits of .05 or lower can save (and *have saved*) lives.

The NTSB believes that the only acceptable number of deaths on our roads is zero, and it has been our charge since our founding to determine how to eliminate transportation fatalities. Deaths due to impaired driving are 100-percent preventable, and Hawaii can be a leader in implementing policies that will prevent impaired driving and save lives.



Date: February 10, 2025

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

Re: Strong Support of HB1387, Relating to Use of Intoxicants While Operating a Vehicle

Hearing: Tuesday, February 11, 2025 at 9:30am, Conference Room 430

Position: Strong Support

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.¹ I am submitting testimony on behalf of the Alliance in STRONG SUPPORT of HB1387. HB1387 lowers the blood alcohol content threshold for driving while under the influence of alcohol from .08 to .05 or more grams of alcohol to reduce impaired driving and fatal crashes.

A 0.05 BAC level is popular with Hawai'i voters, supported by strong research evidence, and recommended by numerous national and international organizations. Lowering the BAC limit for impaired driving to **0.05 is the most effective legislation known by research science** to reduce alcohol-related traffic crashes and fatalities.

Evidence shows that a 0.05 BAC would create safer roads, reduce traffic fatalities and harms, and protect Hawai'i's residents, children, and families.

A 0.05 BAC limit works

With 85% of the world's population and over 100 countries currently under a 0.05 BAC limit, 0.05 is the international standard.² A meta-analysis showed that when countries lowered their BAC to 0.05 or lower, there was, on average, an 11.1% decline in fatal alcohol-related crashes.³ The US is an outlier nation with one of the highest BAC limits in the world, resulting in one of the highest DUI-related fatality rates in the world. Hawai'i ranks 7th highest in the nation for DUI-

¹ 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.

² Global Status Report on Road Safety 2018, World Health Organization, 2018.
https://www.who.int/violence_injury_prevention/road_safety_status/2018/en/

³ Fell JC, Scherer M. Estimation of the potential effectiveness of lowering the blood alcohol concentration (BAC) limit for driving from .08 to .05 grams per deciliter in the United States. Alcohol Clin Exp Res. 2017;41(12):2128–2139.



related traffic fatalities. A 0.05 would significantly reduce this ranking and make Hawai'i a public health leader in the nation on the issue.

A 0.05 BAC limit is the most effective legislation to reduce alcohol-impaired crashes and fatalities.

A February 2022 report by the National Highway Transportation Safety Administration (NHTSA) found a 19.8% drop in fatal car crashes in the 21 months following the passage of Utah's law that lowered the BAC limit to 0.05. This improvement was significantly better than the rest of the United States, which only saw a 5.6% reduction in fatal car crashes for the same period.⁴

A 0.05 BAC limit does not reduce alcohol sales, tourism, or tax revenues

In the six years since Utah's passage of a 0.05 BAC law, there has been a continual and significant increase in alcohol sales. Since the passage of the 0.05 BAC law in 2018, alcohol sales in Utah have increased 28%.⁵ Additionally, Utah's sales tax revenues from restaurant, rental car, hotel, air travel and resort sales continue to trend upward following the implementation of the 0.05 BAC law in Utah. There's no indication that this impact would be different with a 0.05 BAC law in Hawai'i.⁶

A 0.05 BAC limit does not increase arrests

Furthermore, DUI arrest data from Utah's 0.05 BAC law shows no large spikes in overall arrests relative to the passage of the 0.05 BAC law. In 2019, there was a slight increase in arrests for drivers with a 0.05 to 0.079 BAC, which was expected given that law enforcement could now cite drivers for a per se offense in this BAC range.⁷

Voters, Federal Agencies and Industry Support 0.05

A December 2022 statewide poll by SMS research revealed that nearly two-thirds (62%) of Hawai'i voters support lowering the BAC limit for alcohol-impaired driving from 0.08 to 0.05.⁸

This policy is the priority strategy to reduce alcohol-impaired crashes, fatalities, and related consequences. In an effort to prevent alcohol-impaired driving, and its related consequences, the National Highway Transportation Safety Board (NTSB) recommends that all 50 states adopt a

⁴ Thomas, F. D., Blomberg, R., Darrah, J., Graham, L., Southcott, T., Dennert, R., Taylor, E., Treffers, R., Tippetts, S., McKnight, S., & Berning, A. (2022, February). Evaluation of Utah's 0.05 BAC per se law (Report No. DOT HS 813 233). National Highway Traffic Safety Administration.

⁵ The data for each annual report can be found on the report page of the Utah Department of Alcoholic Beverage Services at: <https://abs.utah.gov/about-dabs/annual-reports/>

⁶ Thomas, F. D., Blomberg, R., Darrah, J., Graham, L., Southcott, T., Dennert, R., Taylor, E., Treffers, R., Tippetts, S., McKnight, S., & Berning, A. (2022, February). Evaluation of Utah's 0.05 BAC per se law (Report No. DOT HS 813 233). National Highway Traffic Safety Administration.

⁷ Ibid.

⁸ Hawaii Alcohol Policies Study, SMS Hawaii, December 2022.



0.05 BAC law.⁹ Drivers at 0.05 BAC are up to seven times more likely to be involved in a crash than those drivers at a 0.00 BAC. Additionally, approximately 85% of the world's population has already adopted per se levels for alcohol-impaired driving at 0.05 BAC or lower.¹⁰

The ABInBev Foundation (formerly Anheuser-Busch), the world's largest alcohol brewer, agrees with the World Health Organization that a 0.05 BAC limit is best practice at this time.¹¹ They recognize that this BAC level prevents drinking and driving and encourages people to seek alternative transportation options, including rideshare and designated driver options.

Lowering the BAC limit to 0.05 is intended to save lives. That means this action is about separating drinking from driving. This policy has been shown to prevent crashes, injuries, and deaths, creating safer streets for all people.

Hawai'i has the opportunity to prioritize the lives of all road users by setting a BAC of 0.05. We can improve the overall health and safety of all people in Hawai'i. Please consider **passing HB1387**.

Mahalo for your consideration of our testimony in strong support of this important measure. If you have any questions, please feel free to contact me at rick@hiphi.org or (808) 591-6508, x22.

Rick Collins

Director
Hawai'i Alcohol Policy Alliance

⁹ Reaching Zero: Actions to Eliminate Alcohol-Impaired Driving, National Transportation Safety Board, 2013. <https://www.nts.gov/safety/safety-studies/Pages/DCA12SS006.aspx>

¹⁰ Global Status Report on Road Safety 2018, World Health Organization, 2018. https://www.who.int/violence_injury_prevention/road_safety_status/2018/en/

¹¹ ABInBev Foundation, <https://www.ab-inbev.com/content/dam/abinbev/what-we-do/road-safety/ABI%20%20Road%20Safety%20%20A4%20layout%20%20digital%20%20v6.pdf>

HB-1387

Submitted on: 2/10/2025 8:15:06 AM

Testimony for TRN on 2/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jacelyn Auna	Mala Hanai Pua LLC	Support	Written Testimony Only

Comments:

Aloha,

My name is Jacelyn Auna, and I am in support of lowering the BAC level from .08 to .05. Research shows that even at a lower level of alcohol consumption can make an individual impaired. There are those who make the mistake of drinking and driving. Endangering their lives and others. We really need to change the culture of alcohol consumption and have all those who do consume to be held accountable for their reckless choices. We need to separate the drinking from driving and keep our roads, communities, and families, safe.



February 10, 2024

The Honorable Darius K. Kila, Chair
The Honorable Tina Nakada Grandinetti, Vice Chair
House Committee on Transportation
Hawaii State Legislature
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Kila and Vice Chair Grandinetti:

Advocates for Highway and Auto Safety (Advocates), an alliance of consumer, safety, medical, public health and law enforcement groups and insurance companies working together to pass highway and auto safety laws that prevent crashes, save lives, reduce injuries, and contain costs, supports Senate Bill (SB) 1403/House Bill (HB) 1084 and SB 1643/HB 1387. These bills would lower the *per se* limit of driving while under the influence of an intoxicant to .05 percent blood alcohol concentration (BAC), deter drunk driving and save lives.

Drunk driving is a deadly and costly threat to Hawaii families. In 2022, there were 116 fatalities on state roads, and 32 percent of those (37) involved drunk driving.ⁱ In addition, Hawaii incurred \$580 million in economic harm due to motor vehicle crashes according to a 2019 analysis.ⁱⁱ Updating for inflation only this cost would be \$711 million in 2024 dollars.ⁱⁱⁱ Drunk driving crashes cost employers across the country \$8 billion each year with 81 percent of those costs coming in crashes while off the job.^{iv}

The impact of drunk driving is clearly measurable at .05 percent BAC by research which shows significant impairment.^v Drivers have reduced coordination, decreased ability to track moving objects, difficulty steering and diminished response to emergency situations.^{vi} The risk of being killed in a single-vehicle crash with BACs of .05 to .079 percent is up to 21 times higher than for drivers without measurable alcohol.^{vii}

Solutions which are strongly supported by research and the public health and safety community must be implemented.^{viii} Advancing .05 percent BAC legislation will reduce dangerous drinking and driving across all levels of impairment, including high BACs, to prevent deaths and injuries. If all states adopted a .05 percent BAC or lower law, fatal alcohol crashes are estimated to decline 11 percent, and 1,790 lives would be saved each year.^{ix} Lowering the limit of BAC is a countermeasure successfully employed around the world but underused in the United States. More than 100 countries have .05 percent BAC or lower limits. In these countries average alcohol consumption is equal or higher to that in the United States, but they have less deaths caused by drunk driving.^x

Opponents may claim that lowering the BAC will impact the economy by decreasing alcohol sales, but reducing BAC limits does not discourage alcohol consumption.^{xi} It does discourage driving after drinking. Further, studies show that when states lowered their BAC limits from .10 to .08 percent, there were no adverse impacts on the criminal justice system. Similarly, when Utah reduced its BAC limit from .08 to .05 percent, alcohol sales and tourism went up while DUI arrests went down.^{xii}

The data are clear, the lifesaving benefits are certain and the justification for action is compelling. We urge you to take this critical step to seriously address and prevent drunk driving by advancing SB 1403/HB 1084 and SB 1643/HB 1387. Every death caused by an alcohol-related crash on Hawaii roads forever changes the lives of families and communities, and can be prevented. Thank you for your consideration.

Sincerely,

Catherine Chase, President

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- i State Traffic Safety Information for Hawaii (2022), NHTSA, available at <https://cdan.dot.gov/stsi.htm>.
- ii The Economic and Societal Impact of Motor Vehicle Crashes, 2019, NHTSA, Feb. 2023, DOT HS 813 403, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813403>.
- iii CPI Inflation Calculator, BLS, January 2019 to January 2024 dollars, available [here](#).
- iv Cost of Motor Vehicle Crashes to Employers 2019; Network of Employers for Traffic Safety, available at <https://trafficsafety.org/road-safety-resources/public-resources/cost-of-motor-vehicle-crashes-to-employers-2019/>.
- v NTSB, .05 BAC Safety Briefing Facts, February 2017, available at <https://portal.ct.gov/-/media/DOT/documents/dvisionzero/NTSB-05-SafetyBriefingMarch2019.pdf>.
- vi MADD, *What is .08?* Available at: <http://www.madd.org/drunk-driving/about/understanding-08.html>.
- vii Fell, Jim C., Voas, Robert B, *The effectiveness of a 0.05 blood alcohol concentration (BAC) limit for driving in the United States*, PIRE. June 2014.
- viii Fell, Jim C., Voas, Robert B, *The effectiveness of a 0.05 blood alcohol concentration (BAC) limit for driving in the United States*, PIRE. June 2014.
- ix NTSB Safety Compass, *Drink or Drive Pick One*: <https://safetycompass.wordpress.com/2019/04/29/drink-or-drive-pick-one/>.
- x NORC: Fell JC & Scherer M, Estimation of the Potential Effectiveness of Lowering the Blood Alcohol Concentration (BAC) Limit for Driving from 0.08 to 0.05 Grams per Deciliter in the United States, 2017. Available at: <https://bit.ly/2E5pliq>.
- xi NTSB, .05 BAC Safety Briefing Facts, February 2017.
- xii Ibid.
- Leaver, Jennifer, The State of Utah's Travel and Tourism Industry 2019, Kem C. Gardner Policy Institute University of Utah, September 2020. Utah Department of Alcoholic Beverage Control, Annual Reports 2018, 2019 and 2020, available at: <https://abc.utah.gov/about-dabc/annual-reports/>. 17th Annual DUI Report to the Utah Legislature, Utah Commission on Criminal and Juvenile Justice, 2019. Available at: <https://le.utah.gov/interim/2019/pdf/00004834.pdf>.



February 10, 2025

Re: HB1084 and HB1387

House Committee on Transportation

Rep. Darius K. Kila, Chair

Rep. Tina Nakada Grandinetti, Vice Chair

The Coalition for a Drug-Free Hawaii SUPPORTS HB1084 and HB1387

Aloha Chairs and Vice Chairs, my name is Greg Tjapkes, and I am the Executive Director of the Coalition for a Drug-Free Hawaii (CDFH), as a drug abuse prevention youth-serving agency we **SUPPORT HB1084 and HB1387**

This measure has the potential to significantly reduce the risk of alcohol-related crashes, ultimately saving lives and preventing immeasurable pain and loss for families and communities.

Evidence shows a 0.05 BAC would create safer roads, reduce traffic fatalities and harms, and protect Hawai'i's residents, children, and families.

Lowering the BAC limit to 0.05 is about separating drinking from driving. It is about preventing crashes, injuries, and deaths and creating safer streets for everyone.

This law would improve the overall health and safety of all people in Hawai'i. I ask that you pass HB1084 and HB1387.

Thank you,

Greg Tjapkes
Executive Director
Coalition for a Drug-Free Hawaii

**ADDRESS**

3442 Wai'ālae Ave., Suite 1
Honolulu, HI 96816

PHONE

808-735-5756

EMAIL

bicycle@hbl.org

HOUSE COMMITTEE ON TRANSPORTATION

Tuesday February 11, 2025 – 09:30am

**Hawai'i Bicycling League Supports HB 1387,
Relating to Use of Intoxicants While Operating a Vehicle**

Aloha Chair Kila, Vice Chair Grandinetti, and Committee Members,

My name is Eduardo Hernandez, and I am the Advocacy Director of the Hawai'i Bicycling League (HBL). We are a non-profit organization founded in 1975 with the mission of enabling more people to ride bicycles for health, recreation, and transportation. We strive to create communities across our islands that have safe, accessible, and inclusive environments for people to bike, walk, and roll.

Hawai'i Bicycling League supports HB 1387, the purpose of which is to lower the blood alcohol content threshold for driving while under the influence of alcohol from .08 to .05 or more grams of alcohol to reduce impaired driving and fatal crashes.

Nationally, nearly 20% of crashes resulting in a fatality of someone walking or biking involve a person driving while intoxicated. In Hawai'i, an estimated 40% of all traffic fatalities involve alcohol. This measure has the potential to significantly reduce the risk of alcohol-related crashes, ultimately saving lives and preventing immeasurable pain and loss for families and communities. Close to 100 countries around the world have set BAC limits at 0.05 BAC or lower. All states and territories in Australia have a 0.05 BAC limit, and their per-capita alcohol consumption is higher than that in the United States. Most of Europe, including Spain, France, Austria, Italy, and Germany have established their limit at 0.05 g/dL, while Sweden, Norway, Japan, and Russia have enacted their BAC limit at 0.02 g/dL.

People walking and biking are among the most vulnerable users of our roads. They lack the protective shield that vehicles provide, making them practically susceptible to the actions of impaired and distracted drivers.

Passing this bill will send a clear message that we are prioritizing the safety of all road users.

Mahalo for the opportunity to provide testimony on this important matter.

Ride Aloha,

Eduardo Hernandez
Advocacy Director

HB-1387

Submitted on: 2/10/2025 9:29:51 AM

Testimony for TRN on 2/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Cynthia Okazaki	Hawaii Alcohol Policy Alliance	Support	Remotely Via Zoom

Comments:

[COMMITTEE ON TRANSPORTATION](#)

Rep. Darius K. Kila, Chair

Rep. Tina Nakada Grandinetti, Vice Chair

Testimony in support of HB 1387, Relating to the use of intoxicants while operating a vehicle.

Aloha Chair, Vice Chair and Committee members.

My name is Cynthia Okazaki and I am in **STRONG SUPPORT of HB 1387.**

- Reducing the blood alcohol content (BAC) to 0.05 percent is linked to fewer instances of impaired driving and its consequences. A 0.05 BAC limit is a general deterrent to impaired driving and affects all would-be-drinking drivers.
- More than 100 countries have reduced their legal BAC levels to 0.05 percent or lower. Specifically, all states in Australia have a 0.05 percent BAC limit. France, Austria, Italy, Spain, and Germany have lowered their limit to 0.05 percent BAC, while Sweden, Norway, Japan, and Russia have set their limit at 0.02 percent BAC. In most of those countries, traffic fatalities in which drivers had an illegal BAC are under 25 percent, with many falling in the single-digit range.

- Key findings in Utah after the state lowered the BAC to 0.05 percent in 2019: the alcohol-related traffic fatality rate *decreased* AND, from 2018-2024, *alcohol sales increased* 28 percent.

This law would improve the overall health and safety of all people in Hawaii.

I ask that you **pass HB 1387 out of committee.**

Mahalo for your time and consideration.

Cynthia Okazaki



To: The Honorable Representative Darius Kila, Chair
The Honorable Representative Tina Nakada Grandinetti, Vice Chair
Members of the House Committee on Transportation

Re: **Strong Support of HB 1387**, Relating to Use of Intoxicants While Operating a Vehicle

Hrg: Tuesday, February 11th, 2025 at 9:30 am, Conference Room 430

Position: Strong Support

I am submitting testimony in STRONG SUPPORT of HB 1387. establishes and defines the per se level for impairment as having a blood alcohol concentration (BAC) between 0.05 BAC and 0.079 BAC.

Lowering the BAC limit for impaired driving to 0.05 **is an extremely effective strategy to creating safer roads that is popular with Hawai'i voters, supported by strong research evidence, and endorsed by the world's largest brewer.**

Below are some of the reasons why a 0.05 BAC would create safe roads and protect Hawaii's residents, children, and families:

Lowering the BAC limit to 0.05 has shown to be an effective strategy for reducing alcohol-impaired crashes and fatalities, and would create safer roads for all people.

A February 2022 report by the National Highway Transportation Safety Administration (NHTSA) found a **19.8% drop in fatal car crashes in the 21-month period following the passage of Utah's law that lowered the BAC limit to 0.05.** This was a significant improvement over the rest of the United States, which only saw a 5.6% reduction in fatal car crashes for the same period.¹

¹ Thomas, F. D., Blomberg, R., Darrah, J., Graham, L., Southcott, T., Dennert, R., Taylor, E., Treffers, R., Tippetts, S., McKnight, S., & Berning, A. (2022, February). Evaluation of Utah's 0.05 BAC per se law (Report No. DOT HS 813 233). National Highway Traffic Safety Administration.

Hawai‘i voters support the lowering of the BAC limit to 0.05.

A December 2022 statewide poll reveals that more than two-thirds (69%) of Hawai‘i voters support lowering the BAC limit for alcohol-impaired driving from 0.08 to 0.05.²

A 0.05 BAC is supported by strong research evidence and nationally recommended to reduce alcohol-impaired crashes, fatalities, and related consequences.

In an effort to prevent alcohol-impaired driving and its related consequences, the National Highway Transportation Safety Board (NTSB) recommends that all 50 states adopt a 0.05 BAC law.³ Drivers at 0.05 BAC are up to seven times more likely to be involved in a crash than those drivers at a 0.00 BAC. Additionally, approximately 85% of the world’s population has already adopted per se levels for alcohol-impaired driving at 0.05 BAC or lower.⁴

The world’s largest alcohol brewer endorses a 0.05 BAC as best practice to prevent alcohol-impaired driving.

The AB InBev Foundation (formerly Anheuser-Busch) agrees with the World Health Organization that a 0.05 BAC limit is best practice at this time.⁵

Utah study shows a 0.05 BAC limit had no negative impact alcohol sales, tourism, and tax revenues

Alcohol sales and sales tax revenues from restaurant, rental car, hotel, air travel and resort sales continued to trend upward following the implementation of the 0.05 BAC law in Utah, and there’s no indication that this would be different with a 0.05 BAC law in Hawai‘i.⁶

Utah study shows a 0.05 BAC limit did not increase arrests

DUI arrest data from Utah’s 0.05 BAC law shows no large spikes in overall arrests relative to the passage of the 0.05 BAC law. In 2019, there was a slight increase in arrests for drivers with a 0.05 to 0.079 BAC, which was expected given that law enforcement could now cite drivers for a per se offense in this BAC range.⁷

Lowering the BAC limit to 0.05 is not about drinking; it is about separating drinking from driving. It is about preventing crashes, injuries, and deaths, and creating safer streets for all people.

² Hawaii Alcohol Policies Study, SMS Hawaii, December 2022.

³ Reaching Zero: Actions to Eliminate Alcohol-Impaired Driving, National Transportation Safety Board, 2013. <https://www.nts.gov/safety/safety-studies/Pages/DCA12SS006.aspx>

⁴ Global Status Report on Road Safety 2018, World Health Organization, 2018. https://www.who.int/violence_injury_prevention/road_safety_status/2018/en/

⁵ ABInBev Foundation, <https://www.ab-inbev.com/content/dam/abinbev/what-we-do/road-safety/ABI%20%20Road%20Safety%20%20A4%20layout%20%20digital%20%20v6.pdf>

⁶ Thomas, F. D., Blomberg, R., Darrah, J., Graham, L., Southcott, T., Dennert, R., Taylor, E., Treffers, R., Tippetts, S., McKnight, S., & Berning, A. (2022, February). Evaluation of Utah’s 0.05 BAC per se law (Report No. DOT HS 813 233). National Highway Traffic Safety Administration.

⁷ Ibid.

Hawai'i has the opportunity to help set a new BAC standard for our nation. This law would improve the overall health and safety of all people in Hawai'i. I ask that you **pass HB 1387**

Mahalo for your time and consideration.

Michael Sparks

President SparksInitiatives

Kihei, HI

Date: February 9, 2025

To: The Honorable Representative Darius Kila, Chair
The Honorable Representative Tina Nakada Grandinetti, Vice Chair
Members of the House Committee on Transportation

Re: Strong Support of HB1387, RELATING TO THE USE OF INTOXICANTS WHILE OPERATING A VEHICLE.

Hearing: Thursday, February 11, 2025, at 9:30 AM, Conference Room 430

Position: **Strong Support**

Dear Honorable Lee and Senate Committee on Transportation,

The Island of Hawai'i urgently implores you to support lowering the BAC to .05 to save lives. As a Hawai'i Island resident and public health educator/advocate, I have witnessed firsthand the tragic consequences of impaired driving and the profound impact it has had on our community.

If this bill passes, it will change how drivers view impairment in Hawai'i. A lower BAC threshold will encourage safer choices, such as using ride-sharing services like Uber or Lyft, calling a friend for a ride, or consuming alcohol responsibly.

Our roads on Hawai'i Island are already hazardous, with long stretches of unlit highways, dangerous curves, and poor road conditions. This bill presents an opportunity to make a real difference in improving public safety.

With your support, we can create safer roads, strengthen our communities, and, most importantly, save lives. Please support HB1387 -another life depends on it.

With aloha and mahalo,
Sally Ancheta
Hilo Resident, District 2

HB-1387

Submitted on: 2/9/2025 6:38:49 PM

Testimony for TRN on 2/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Cindy Watanabe	Individual	Support	Written Testimony Only

Comments:

Dear Chair Darius Kila, Vice Chair Tina Nakada Grandinetti, and Members of the Committee,

My name is Cindy Watanabe, and I am writing in strong support of **HB1387**, which lowers the legal blood alcohol concentration (BAC) limit for drivers from 0.08 to 0.05. This bill is an important step in preventing impaired driving crashes and saving lives in our community.

Too many families in Hawaii have suffered the devastating consequences of impaired driving. Every year, lives are lost, and loved ones are taken too soon because someone made the choice to drive after drinking. These tragedies are entirely preventable. Research has shown that impairment begins well before reaching 0.08 BAC, affecting a driver's judgment, reaction time, and coordination. Lowering the BAC limit to 0.05 has been proven to reduce fatal crashes in other places that have adopted this policy, including Utah and many countries worldwide.

This bill is not about stopping people from drinking—it is about stopping people from driving when their ability is impaired. It sends a clear message that safety must come first. If passing HB1084 means preventing even one more family from experiencing the heartbreak of losing a loved one, then it is a step worth taking.

I urge you to support **HB1387** and help make Hawaii's roads safer for everyone. Thank you for your time and consideration.

Sincerely,

Cindy Watanabe

February 9, 2025

Aloha House Committee on Transportation,

My name is Raquel Gali, and I am submitting testimony in STRONG SUPPORT of HB1387.

I was born and raised on the Island of Hawai'i, where I have raised my children, and where I continue to reside. I have served Hawai'i Island as a social service professional for over twenty years with an emphasis on the prevention of alcohol misuse and other substance misuse. The health and safety of my community are important to me, and I strongly support lowering the Blood Alcohol Concentration (BAC) to 0.05 in the State of Hawai'i. The consequences of alcohol impaired driving are devastating, and they are preventable.

Even one fatality due to drunk driving is one too many, and lowering the BAC to 0.05 presents a crucial step in preventing such tragic crashes. This measure has the potential to significantly reduce the risk of alcohol-related crashes, ultimately saving lives and preventing immeasurable pain and loss for families and communities.

The United States is an outlier nation with one of the highest blood alcohol concentration (BAC) limits in the world and, as a result, has one of the highest DUI-related fatality rates in the world. Hawai'i's alcohol-related traffic fatalities rate is higher than the national average. From 2011-2022, at least 40 percent of traffic fatalities in Hawai'i involved alcohol. During the same timeframe, the national average for alcohol-related traffic fatalities hovered between 35 and 36 percent, bumping up to 37 percent in 2022. Not only would a 0.05 BAC serve as a general deterrent to intoxicated driving and prevent future deaths, but it would also significantly reduce this high fatality rate and make Hawai'i a public health leader in the nation on the issue.

Evidence shows a 0.05 BAC would create safer roads, reduce traffic fatalities and harms, and protect Hawai'i's residents, children, and families. I respectfully request your support in making our island roads a safer place for all with the passing of HB1387.

Mahalo,

Raquel Gali
Hawai'i Island Resident

HB-1387

Submitted on: 2/9/2025 8:18:08 PM

Testimony for TRN on 2/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Shelby Young	Individual	Support	Written Testimony Only

Comments:

Dear Chair Kila, Vice Chair Grandinetti, and Members of the Committee,

I am writing in support of HB1387 to lower the legal blood alcohol concentration (BAC) from .08 to .05. Impaired driving is a serious issue that puts everyone on the road at risk. Even small amounts of alcohol can affect a driver's reaction time and decision-making abilities, increasing the likelihood of crashes.

Lowering the BAC to .05 is a proactive measure that encourages responsible drinking habits and helps prevent tragedies before they happen. Many people do not realize that even if they feel fine, their ability to drive safely can still be compromised. This law will encourage individuals to think ahead and make safer choices, such as arranging for a designated driver or using alternative transportation.

Reducing the BAC limit is not about punishing responsible adults—it is about protecting lives. Every life lost to drunk driving is one too many, and this small change can make a big difference. I urge you to pass HB1387. Thank you for your time and consideration.

Sincerely,
Shelby Young

HB-1387

Submitted on: 2/9/2025 9:28:13 PM

Testimony for TRN on 2/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Melissa	Individual	Support	Written Testimony Only

Comments:

I am writing to express my support for HB 1387.

Even one fatality due to drunk driving is one too many, and lowering the Blood Alcohol Concentration (BAC) to 0.05 presents a crucial step in preventing such tragic crashes. This measure has the potential to significantly reduce the risk of alcohol-related crashes, ultimately saving lives and preventing immeasurable pain and loss for families and communities.

The United States is an outlier nation with one of the highest blood alcohol concentration (BAC) limits in the world and, as a result, has one of the highest DUI-related fatality rates in the world. Hawai'i's alcohol-related traffic fatalities rate is higher than the national average. From 2011-2022, at least 40 percent of traffic fatalities in Hawai'i involved alcohol. During the same timeframe, the national average for alcohol-related traffic fatalities hovered between 35 and 36 percent, bumping up to 37 percent in 2022. Not only would a 0.05 BAC serve as a general deterrent to intoxicated driving and prevent future deaths, it would significantly reduce this high fatality rate and make Hawai'i a public health leader in the nation on the issue.

Evidence shows a 0.05 BAC would create safer roads, reduce traffic fatalities and harms, and protect Hawai'i's residents, children, and families.

According to the [National Highway Traffic Safety Commission](#) (NHTSA), about 37 people in the United States die in drunk-driving crashes every day — that's one person every 39 minutes. In 2022, 13,524 people died in alcohol-impaired driving traffic deaths. These deaths were all preventable.

Lowering the BAC limit to 0.05 is not about drinking; it is about separating drinking from driving. It is about preventing crashes, injuries, and deaths and creating safer streets for everyone. Hawai'i, along with 6 other states that introduced similar legislation, has the opportunity to help set a new BAC standard for our nation. This law would improve the overall health and safety of all people in Hawai'i. I ask that you pass HB1387.

Mahalo for your time and consideration.

Melissa Magonigle

HB-1387

Submitted on: 2/10/2025 7:12:20 AM

Testimony for TRN on 2/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Tassy Diaz	Individual	Support	Written Testimony Only

Comments:

Aloha House Committee on Transportation,

My name is Tassy Diaz and I was born and raised on Kaua‘i and I am submitting testimony in STRONG SUPPORT of HB1084 and HB1387.

Even one fatality due to drunk driving is one too many, and lowering the Blood Alcohol Concentration (BAC) to 0.05 presents a crucial step in preventing such tragic crashes. This measure has the potential to significantly reduce the risk of alcohol-related crashes, ultimately saving lives and preventing immeasurable pain and loss for families and communities.

The United States is an outlier nation with one of the highest blood alcohol concentration (BAC) limits in the world and, as a result, has one of the highest DUI-related fatality rates in the world. Hawai‘i’s alcohol-related traffic fatalities rate is higher than the national average. From 2011-2022, at least 40 percent of traffic fatalities in Hawai‘i involved alcohol. During the same timeframe, the national average for alcohol-related traffic fatalities hovered between 35 and 36 percent, bumping up to 37 percent in 2022. Not only would a 0.05 BAC serve as a general deterrent to intoxicated driving and prevent future deaths, it would significantly reduce this high fatality rate and make Hawai‘i a public health leader in the nation on the issue.

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Lowering the BAC limit to 0.05 is not about drinking; it is about separating drinking from driving. It is about preventing crashes, injuries, and deaths and creating safer streets for everyone. Hawai‘i, along with 6 other states that introduced similar legislation, has the opportunity to help set a new BAC standard for our nation. This law would improve the overall health and safety of all people in Hawai‘i. I ask that you pass HB1084 and HB1387.

Mahalo for your time and consideration.

Tassy Diaz

HB-1387

Submitted on: 2/10/2025 7:21:02 AM

Testimony for TRN on 2/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kinohi Naihe	Individual	Support	Written Testimony Only

Comments:

Aloha,

My name is Kinohi Naihe from the island of Kauai. I am submitting testimony in **STRONG SUPPORT** of HB1084 and HB1387. This is a proven strategy to help lower traffic fatalities in our state and Utah had lowered their BAC from .08 to .05 back in 2019 and saw a decrease in alcohol related traffic fatalities decreased while alcohol sales increased by 28 percent. Please help keep our keiki and kupuna safe by passing this bill. Mahalo nui.

Na‘u no,

Kinohi Naihe

HB-1387

Submitted on: 2/10/2025 7:22:57 AM

Testimony for TRN on 2/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Julia Ringgold	Individual	Support	Written Testimony Only

Comments:

Aloha House Committee on Transportation,

My name is Julia Ringgold and I currently live in Līhu‘e and I am submitting testimony in STRONG SUPPORT of HB1084 and HB1387.

Even one fatality due to drunk driving is one too many, and lowering the Blood Alcohol Concentration (BAC) to 0.05 presents a crucial step in preventing such tragic crashes. This measure has the potential to significantly reduce the risk of alcohol-related crashes, ultimately saving lives and preventing immeasurable pain and loss for families and communities.

The United States is an outlier nation with one of the highest blood alcohol concentration (BAC) limits in the world and, as a result, has one of the highest DUI-related fatality rates in the world. Hawai‘i’s alcohol-related traffic fatalities rate is higher than the national average. From 2011-2022, at least 40 percent of traffic fatalities in Hawai‘i involved alcohol. During the same timeframe, the national average for alcohol-related traffic fatalities hovered between 35 and 36 percent, bumping up to 37 percent in 2022. Not only would a 0.05 BAC serve as a general deterrent to intoxicated driving and prevent future deaths, it would significantly reduce this high fatality rate and make Hawai‘i a public health leader in the nation on the issue.

Evidence shows a 0.05 BAC would create safer roads, reduce traffic fatalities and harms, and protect Hawai‘i’s residents, children, and families.

According to the [National Highway Traffic Safety Commission](#) (NHTSA), about 37 people in the United States die in drunk-driving crashes every day — that's one person every 39 minutes. In 2022, 13,524 people died in alcohol-impaired driving traffic deaths. These deaths were all preventable.

Lowering the BAC limit to 0.05 is not about drinking; it is about separating drinking from driving. It is about preventing crashes, injuries, and deaths and creating safer streets for everyone. Hawai‘i, along with 6 other states that introduced similar legislation, has the opportunity to help set a new BAC standard for our nation. This law would improve the overall health and safety of all people in Hawai‘i. I ask that you pass HB1084 and HB1387.

Thank you for your time and consideration.

Julia Ringgold

HB-1387

Submitted on: 2/10/2025 7:24:46 AM

Testimony for TRN on 2/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Aaron Akau	Individual	Support	Written Testimony Only

Comments:

Aloha House Committee on Transportation,

My name is Aaron Akau, a Native Hawaiian born and raised in Waimanalo, O‘ahu and I am submitting testimony in STRONG SUPPORT of HB1084 and HB1387.

Even one fatality due to drunk driving is one too many, and lowering the Blood Alcohol Concentration (BAC) to 0.05 presents a crucial step in preventing such tragic crashes. This measure has the potential to significantly reduce the risk of alcohol-related crashes, ultimately saving lives and preventing immeasurable pain and loss for families and communities.

The United States is an outlier nation with one of the highest blood alcohol concentration (BAC) limits in the world and, as a result, has one of the highest DUI-related fatality rates in the world. Hawai‘i’s alcohol-related traffic fatalities rate is higher than the national average. From 2011-2022, at least 40 percent of traffic fatalities in Hawai‘i involved alcohol. During the same timeframe, the national average for alcohol-related traffic fatalities hovered between 35 and 36 percent, bumping up to 37 percent in 2022. Not only would a 0.05 BAC serve as a general deterrent to intoxicated driving and prevent future deaths, it would significantly reduce this high fatality rate and make Hawai‘i a public health leader in the nation on the issue.

Evidence shows a 0.05 BAC would create safer roads, reduce traffic fatalities and harms, and protect Hawai‘i’s residents, children, and families.

According to the [National Highway Traffic Safety Commission](#) (NHTSA), about 37 people in the United States die in drunk-driving crashes every day — that's one person every 39 minutes. In 2022, 13,524 people died in alcohol-impaired driving traffic deaths. These deaths were all preventable.

Lowering the BAC limit to 0.05 is not about drinking; it is about separating drinking from driving. It is about preventing crashes, injuries, and deaths and creating safer streets for everyone. Hawai‘i, along with 6 other states that introduced similar legislation, has the opportunity to help set a new BAC standard for our nation. This law would improve the overall health and safety of all people in Hawai‘i. I ask that you pass HB1084 and HB1387.

Thank you for your time and consideration.

Aaron Akau

HB-1387

Submitted on: 2/10/2025 7:26:06 AM

Testimony for TRN on 2/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kawena Bagano	Individual	Support	Written Testimony Only

Comments:

Aloha House Committee on Transportation,

My name is Kawena Bagano from Hanamā‘ulu, Līhu‘e and I am submitting testimony in STRONG SUPPORT of HB1084 and HB1387.

Even one fatality due to drunk driving is one too many, and lowering the Blood Alcohol Concentration (BAC) to 0.05 presents a crucial step in preventing such tragic crashes. This measure has the potential to significantly reduce the risk of alcohol-related crashes, ultimately saving lives and preventing immeasurable pain and loss for families and communities.

The United States is an outlier nation with one of the highest blood alcohol concentration (BAC) limits in the world and, as a result, has one of the highest DUI-related fatality rates in the world. Hawai‘i’s alcohol-related traffic fatalities rate is higher than the national average. From 2011-2022, at least 40 percent of traffic fatalities in Hawai‘i involved alcohol. During the same timeframe, the national average for alcohol-related traffic fatalities hovered between 35 and 36 percent, bumping up to 37 percent in 2022. Not only would a 0.05 BAC serve as a general deterrent to intoxicated driving and prevent future deaths, it would significantly reduce this high fatality rate and make Hawai‘i a public health leader in the nation on the issue.

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Lowering the BAC limit to 0.05 is not about drinking; it is about separating drinking from driving. It is about preventing crashes, injuries, and deaths and creating safer streets for everyone. Hawai‘i, along with 6 other states that introduced similar legislation, has the opportunity to help set a new BAC standard for our nation. This law would improve the overall health and safety of all people in Hawai‘i. I ask that you pass HB1084 and HB1387.

Mahalo for your time and consideration.

Kawena Bagano

HB-1387

Submitted on: 2/10/2025 7:27:21 AM

Testimony for TRN on 2/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Mahiai Naihe	Individual	Support	Written Testimony Only

Comments:

Aloha House Committee on Transportation,

My name is Mahiai Naihe and I live in Anahola on the island of Kauai and I am submitting testimony in STRONG SUPPORT of HB1084 and HB1387.

Even one fatality due to drunk driving is one too many, and lowering the Blood Alcohol Concentration (BAC) to 0.05 presents a crucial step in preventing such tragic crashes. This measure has the potential to significantly reduce the risk of alcohol-related crashes, ultimately saving lives and preventing immeasurable pain and loss for families and communities.

The United States is an outlier nation with one of the highest blood alcohol concentration (BAC) limits in the world and, as a result, has one of the highest DUI-related fatality rates in the world. Hawai'i's alcohol-related traffic fatalities rate is higher than the national average. From 2011-2022, at least 40 percent of traffic fatalities in Hawai'i involved alcohol. During the same timeframe, the national average for alcohol-related traffic fatalities hovered between 35 and 36 percent, bumping up to 37 percent in 2022. Not only would a 0.05 BAC serve as a general deterrent to intoxicated driving and prevent future deaths, it would significantly reduce this high fatality rate and make Hawai'i a public health leader in the nation on the issue.

Evidence shows a 0.05 BAC would create safer roads, reduce traffic fatalities and harms, and protect Hawai'i's residents, children, and families.

According to the [National Highway Traffic Safety Commission](#) (NHTSA), about 37 people in the United States die in drunk-driving crashes every day — that's one person every 39 minutes. In 2022, 13,524 people died in alcohol-impaired driving traffic deaths. These deaths were all preventable.

Lowering the BAC limit to 0.05 is not about drinking; it is about separating drinking from driving. It is about preventing crashes, injuries, and deaths and creating safer streets for everyone. Hawai'i, along with 6 other states that introduced similar legislation, has the opportunity to help set a new BAC standard for our nation. This law would improve the overall health and safety of all people in Hawai'i. I ask that you pass HB1084 and HB1387.

Mahalo for your time and consideration.

Mahiai Naihe

HB-1387

Submitted on: 2/10/2025 8:52:02 AM

Testimony for TRN on 2/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Andrea Maniago	Individual	Support	Written Testimony Only

Comments:

Testimony in Support of HB1387

Hearing Date: February 11, 2025

Committee: Committee on Transportation

Dear Chair Darius Kila, Vice Chair Tina Nakada Grandinetti, and Members of the Committee,

Hi my name is Andrea Maniago and my son died due to a drunk driving crash in 2009. Since then we have done everything we can to be proactive. Sign waving on the side of the road, PSA's, spoken at schools, even spoken at DUI classes. We have done everything anyone has asked us to do and almost 16 years later there has been no change! So now we turn to all of you and beg for you to help us make a change.

We are your community, we voted for all of you to come into office and help make a change so what now? Are you going to help your people or are you going to kill this bill to help WHO!? If this bill is killed then who are you helping? This bill is not preventing anyone from drinking but by passing this bill we are asking drivers to get home responsibly. It is as simple as that! So if you kill this bill ask yourself why and who is this benefiting? Also ask yourself if you can save multiple lives by adding this bill then isn't worth it?

So are you going to do nothing again and hope no else dies from a drunk driver? Or are you going to be the change that you promise when you ran for office? Please don't let any more blood rest on your hands because you did nothing. I don't think a life needs to be sacrificed for another drunk driver.

Mahalo,

Andrea Maniago

HB-1387

Submitted on: 2/10/2025 9:23:47 AM

Testimony for TRN on 2/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Melissa-Iris Lau	Individual	Support	Written Testimony Only

Comments:

Dear Chair Darius Kila, Vice Chair Tina Nakada Grandinetti, and Members of the Committee,

My name is Melissa Lau, and I am writing in strong support of HB**1387**, which lowers the legal blood alcohol concentration (BAC) limit for drivers from 0.08 to 0.05. This bill is an important step in preventing impaired driving crashes and saving lives in our community.

Too many families in Hawaii have suffered the devastating consequences of impaired driving. Every year, lives are lost, and loved ones are taken too soon because someone made the choice to drive after drinking. These tragedies are entirely preventable. Research has shown that impairment begins well before reaching 0.08 BAC, affecting a driver's judgment, reaction time, and coordination. Lowering the BAC limit to 0.05 has been proven to reduce fatal crashes in other places that have adopted this policy, including Utah and many countries worldwide.

My husband, Dr. William Travis Lau, was one of three who was tragically killed on January 28, 2019. Four others were also severely injured and will have to continue to live with the physical injuries and emotional and financial toll of this. My husband was not only a big loss to myself and our family, he was also a big loss to our community who so heavily relied on his medical expertise. This tragedy was completely avoidable, and I believe that more tragedies like this can be avoided.

There is so much data showing that we can no longer rely on people to make the correct choice when it comes to deciding whether or not to drive impaired.

How much longer, and how many more lives have to be affected until some actual impactful change happens? Let Hawaii be one of the states that sets an example for the rest of the country. And because we are a small state, I believe that we feel the impact harder than other states.

This bill is not about stopping people from drinking—it is about stopping people from driving when their ability is impaired. It sends a clear message that safety must come first. If passing HB1084 means preventing even one more family from experiencing the heartbreak of losing a loved one, then it is a step worth taking.

I urge you to support HB**1084** and help make Hawaii's roads safer for everyone. Thank you for your time and consideration.

Sincerely,

Melissa Lau

HB-1387

Submitted on: 2/10/2025 11:10:18 AM

Testimony for TRN on 2/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Colleen Fox	Individual	Support	Written Testimony Only

Comments:

I am submitting testimony in STRONG SUPPORT of HB1387. HB1387 amends the definition of “under the influence” and defines the measurable amount of alcohol for impaired driving of a vehicle to a blood alcohol concentration (BAC) of 0.05 or more.

Lowering the BAC limit for impaired driving to 0.05 creates safer roads, is popular with Hawai‘i voters, and is supported by strong research evidence. A study of the implementation of a 0.05 BAC limit in Utah found that it had no negative impact on alcohol sales, tourism, and tax revenues; and it did not increase arrests (1). Lowering the BAC limit to 0.05 will prevent crashes, injuries, and deaths, and create safer streets for all people.

A 0.05 BAC would create safe roads and protect Hawaii’s residents, children, and families by reducing alcohol-impaired crashes and fatalities and making our roads safer in Hawaii. In Utah, they saw a 20% drop in fatal car crashes after the BAC was lowered to 0.05 (2). The National Highway Transportation Safety Board (NTSB) has recommended that all 50 states adopt a 0.05 BAC law (3). Drivers at 0.05 BAC are up to seven times more likely to be involved in a crash than those drivers at a .00 BAC. Additionally, approximately 85% of the world’s population has already adopted per se levels for alcohol-impaired driving at 0.05 BAC or lower (4).

The people of Hawai‘i support the lowering of the BAC limit to 0.05, as seen in a 2022 poll that indicated two-thirds (69%) of Hawai‘i voters support lowering the BAC limit for alcohol-impaired driving from 0.08 to 0.05 (5).

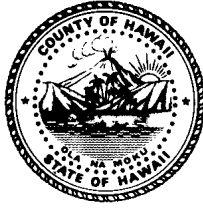
This law would improve the overall health and safety of all people in Hawai‘i. I ask that you **pass HB 1387**. Mahalo for your time and consideration.

Dr. Colleen Fox

Makiki

1. Thomas, F. D., Blomberg, R., Darrah, J., Graham, L., Southcott, T., Dennert, R., Taylor, E., Treffers, R., Tippetts, S., McKnight, S., & Berning, A. (2022, February). Evaluation of Utah's 0.05 BAC per se law (Report No. DOT HS 813 233). National Highway Traffic Safety Administration.
2. Thomas, F. D., Blomberg, R., Darrah, J., Graham, L., Southcott, T., Dennert, R., Taylor, E., Treffers, R., Tippetts, S., McKnight, S., & Berning, A. (2022, February). Evaluation of Utah's 0.05 BAC per se law (Report No. DOT HS 813 233). National Highway Traffic Safety Administration.
3. Reaching Zero: Actions to Eliminate Alcohol-Impaired Driving, National Transportation Safety Board, 2013. <https://www.nts.gov/safety/safety-studies/Pages/DCA12SS006.aspx>
4. Global Status Report on Road Safety 2018, World Health Organization, 2018. https://www.who.int/violence_injury_prevention/road_safety_status/2018/en/
5. Hawaii Alcohol Policies Study, SMS Hawaii, December 2022.

Jennifer Kagiwada
Council Member District 2 South Hilo



Office: (808) 961-8272
jennifer.kagiwada@hawaiiicounty.gov

HAWAI'I COUNTY COUNCIL - DISTRICT 2

25 Aupuni Street • Hilo, Hawai'i 96720

DATE: February 10, 2025

TO: House Committee on Transportation

FROM: Jennifer Kagiwada, Council Member
Council District 2

SUBJECT: HB 1387

Aloha Chair Kila, Vice Chair Grandinetti, and members of the Committee,

I am writing to you in strong support of HB 1387. Even one fatality due to drunk driving is one too many, and lowering the Blood Alcohol Concentration (BAC) for the offenses of operating a vehicle under the influence of an intoxicant and habitually operating a vehicle under the influence of an intoxicant presents a crucial step in preventing such tragic crashes. This measure has the potential to significantly reduce the risk of alcohol-related crashes, ultimately saving lives and preventing immeasurable pain and loss for families and communities.

According to [traffic safety facts released by the National Highway Traffic Safety Administration \(NHTSA\) in December 2023](#), an early estimate of motor vehicle traffic fatalities for the first nine months of 2023 indicates a 4.5 percent decrease across the United States, a 19 percent decrease in Hawai'i. Following a spike in traffic fatalities during the pandemic, this reduction is encouraging. However, as has been confirmed for nearly 20 years, an estimated [40 percent of](#) all traffic deaths in Hawai'i involve alcohol.

Lowering the BAC limit to 0.05 is not about drinking; it is about separating drinking from driving. It is about preventing crashes, injuries, and deaths and creating safer streets for everyone. Hawai'i, along with 6 other states that introduced similar legislation, has the opportunity to help set a new BAC standard for our nation. This law would improve the overall health and safety of all people in Hawai'i. I ask that you **pass HB 1387**.

Mahalo for your time and consideration,

A handwritten signature in black ink, appearing to read "Jenn Kagiwada", written in a cursive style.

Jenn Kagiwada

HB-1387

Submitted on: 2/10/2025 12:37:53 PM

Testimony for TRN on 2/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kristin Mills	Individual	Support	Written Testimony Only

Comments:

Aloha,

My name is Kristin Mills and I'm from the town of Pukalani (on Maui). I am a Health Educator, a mother of two, and a two-time survivor of auto crashes where I was hit by a drunk driver. Thank you so much for the opportunity to submit testimony in **STRONG SUPPORT** of HB1387, Relating to lowering the threshold blood alcohol concentration while operating a vehicle.

HB1387 lowers the limit of alcohol-impaired driving to .05 percent blood alcohol concentration (BAC), which deters drunk driving and saves lives. Lowering the BAC to 0.05 is a necessary step to reduce traffic deaths and related injuries. As a mother of two young drivers, making the roads safer for my son and daughter, as well as other teens, is very important to me.

Internationally, approximately 100 countries have some type of .05 or lower BAC laws which have lowered their traffic deaths. Having a lower level of BAC has been shown to be effective. In the US, key findings in Utah after the state lowered the BAC to 0.05 percent in 2019 include decreased alcohol-related traffic fatality rates AND, from 2018-2024, alcohol sales increased 28 percent.

The data is clear, the lifesaving benefits are certain, the support is documented, and the justification for action is compelling. The purpose of reducing BAC limits is not to discourage alcohol consumption. The purpose is to deter the combination of drinking AND driving. Each person killed or injured in a preventable alcohol-related crash on Hawaii roads not just has their life prematurely ended, but it forever changes the lives of their families and communities.

On a more personal note, I am one of the lucky ones, twice over. Twice I have been involved in an automobile crash that involved the other driver being intoxicated while driving. Twice I have been lucky to survive even though my vehicle was totaled in one of the crashes and the second crash resulted in a 5-car pile-up where the intoxicated driver did not survive. I was in the first of the five cars in the pile up. I am not only lucky to be alive, but lucky to not have lasting health effects from being hit by another car travelling over 65 miles per hour because the driver was intoxicated.

Our Hawaii community members deserve to not need to rely on "luck" in order to "arrive alive". By lowering the legal BAC level, we will increase everyone's chances of arriving safely rather than having their life forever changed.

I urge you to support HB1387 to reduce the death and injury toll of alcohol-impaired driving by simply reducing the BAC to .05.

Mahalo for the opportunity to submit testimony.

Sincerely,

Kristin Mills, M.S., M.A.

Maui resident, parent, and health educator

HB-1387

Submitted on: 2/10/2025 2:38:18 PM

Testimony for TRN on 2/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Victor K. Ramos	Individual	Support	Written Testimony Only

Comments:

I SUPPORT this bill.

HB-1387

Submitted on: 2/10/2025 3:40:02 PM

Testimony for TRN on 2/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
William Hankins	Individual	Support	Written Testimony Only

Comments:

My Name is William Hankins and I am the former Traffic Commander for Maui Police Department. I have been involved in impaired driving awareness for decades and actually began the push to lower Hawaii's BAC from .08 to .05. I have seen first-hand the destruction impaired drivers cause. I firmly believe that if we could lower the BAC to .05, we will save lives by changing people's behaviors. The overarching goal is to gain voluntary compliance with the laws and by lowering the BAC to .05 is huge step towards achieving that goal. Studies have proven that people under the influence of alcohol ARE IMPAIRED at .05. I have seen this as well while conducting numerous drinking labs with police recruits for SFTS training. If the house/senate are serious about saving lives, then we need to do more and this bill will address a huge problem in this state. Currently only Utah has adapted a .05 law. The National Highway Traffic Safety Administration (NHTSA) has recommended for years to lower the legal BAC to .05. For too many years the push to lower our states BAC has fallen upon deaf ears while many more lives have been lost. I am again asking this legislative body to step up and do something to save lives. Please help save lives and make Hawaii's legal BAC limit .05

HB-1387

Submitted on: 2/11/2025 7:53:44 AM

Testimony for TRN on 2/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Valarie Cabreira	Individual	Support	Written Testimony Only

Comments:

Aloha House Committee on Transportation,

My name is Valarie Cabreira and I am submitting testimony in STRONG SUPPORT of HB1084 and HB1387.

I've personally been involved in car accidents that involved impaired drivers and have also lost loved ones to driving under the influence. There have been too many deaths in our state and innocent lives cut short. I strongly support this bill because I believe that it will take us in the right direction to preventing further injuries and deaths. It is time that we put the needs of our community a priority and passing this bill will help save lives.

Even one fatality due to drunk driving is one too many, and lowering the Blood Alcohol Concentration (BAC) to 0.05 presents a crucial step in preventing such tragic crashes. This measure has the potential to significantly reduce the risk of alcohol-related crashes, ultimately saving lives and preventing immeasurable pain and loss for families and communities.

The United States is an outlier nation with one of the highest blood alcohol concentration (BAC) limits in the world and, as a result, has one of the highest DUI-related fatality rates in the world. Hawai'i's alcohol-related traffic fatalities rate is higher than the national average. From 2011-2022, at least 40 percent of traffic fatalities in Hawai'i involved alcohol. During the same timeframe, the national average for alcohol-related traffic fatalities hovered between 35 and 36 percent, bumping up to 37 percent in 2022. Not only would a 0.05 BAC serve as a general deterrent to intoxicated driving and prevent future deaths, it would significantly reduce this high fatality rate and make Hawai'i a public health leader in the nation on the issue.

Evidence shows a 0.05 BAC would create safer roads, reduce traffic fatalities and harms, and protect Hawai'i's residents, children, and families.

According to the [National Highway Traffic Safety Commission](#) (NHTSA), about 37 people in the United States die in drunk-driving crashes every day — that's one person every 39 minutes. In 2022, 13,524 people died in alcohol-impaired driving traffic deaths. These deaths were all preventable.

Lowering the BAC limit to 0.05 is not about drinking; it is about separating drinking from driving. It is about preventing crashes, injuries, and deaths and creating safer streets for

everyone. Hawai'i, along with 6 other states that introduced similar legislation, has the opportunity to help set a new BAC standard for our nation. This law would improve the overall health and safety of all people in Hawai'i. I ask that you pass HB1084 and HB1387.

Mahalo for your time and consideration.

Valarie Cabreira

HB-1387

Submitted on: 2/11/2025 7:56:27 AM

Testimony for TRN on 2/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Tasha Yamamoto	Individual	Support	Written Testimony Only

Comments:

Aloha House Committee on Transportation,

My name is Tasha Yamamoto and I'm a mother of three children and married on Kauai. I want to show strong support for HB1084 and HB1387.

Kaua'i has seen its share of vehicle accidents that led to people losing their lives and a lot of those fatalities could have been prevented as individuals behind the wheel were intoxicated. I do believe that this bill is a step towards our community feeling safer and more confident while driving on the roadways including myself. Please consider passing this bill and think about the many lives it will save. Thank you for your time and consideration.

Tasha Yamamoto

HB-1387

Submitted on: 2/11/2025 7:58:56 AM

Testimony for TRN on 2/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kamalu Kepa	Individual	Support	Written Testimony Only

Comments:

To the House Committee on Transportation,

My name is Kamalu Kepa and I'm a Waimanalo Native Hawaiian, born and raised. I am submitting testimony in STRONG SUPPORT of HB1084 and HB1387.

Growing up in this Homestead community, I've witnessed a lot of car crashes that led to me losing people I love. The common denominator for the majority of the car crashes that I seen was from people drinking then driving. This is a problem in my community and in our whole state. Just look at the statistics, those numbers don't lie. We need to do something now. I have a baby on the way and I don't want her life to be jeopardized because of people not being held accountable for driving impaired.

Mahalo for your time,

Kamalu Kepa

HB-1387

Submitted on: 2/11/2025 8:01:01 AM

Testimony for TRN on 2/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Gwendolyn Kalani	Individual	Support	Written Testimony Only

Comments:

Aloha House Committee on Transportation,

My name is Gwendolyn Kalani and I'm a Waimanalo senior citizen resident. I am submitting testimony in STRONG SUPPORT of HB1084 and HB1387.

I lost my father when I was just a little girl after he decided to get behind the wheel intoxicated and never made it home to his family. Since then, I've seen on the news the countless lives lost from people driving intoxicated. I'm supporting this bill to help ensure that other children don't have to face the devastation of losing a loved one.

Even one fatality due to drunk driving is one too many, and lowering the Blood Alcohol Concentration (BAC) to 0.05 presents a crucial step in preventing such tragic crashes. This measure has the potential to significantly reduce the risk of alcohol-related crashes, ultimately saving lives and preventing immeasurable pain and loss for families and communities.

The United States is an outlier nation with one of the highest blood alcohol concentration (BAC) limits in the world and, as a result, has one of the highest DUI-related fatality rates in the world. Hawai'i's alcohol-related traffic fatalities rate is higher than the national average. From 2011-2022, at least 40 percent of traffic fatalities in Hawai'i involved alcohol. During the same timeframe, the national average for alcohol-related traffic fatalities hovered between 35 and 36 percent, bumping up to 37 percent in 2022. Not only would a 0.05 BAC serve as a general deterrent to intoxicated driving and prevent future deaths, it would significantly reduce this high fatality rate and make Hawai'i a public health leader in the nation on the issue.

Evidence shows a 0.05 BAC would create safer roads, reduce traffic fatalities and harms, and protect Hawai'i's residents, children, and families.

According to the [National Highway Traffic Safety Commission](#) (NHTSA), about 37 people in the United States die in drunk-driving crashes every day — that's one person every 39 minutes. In 2022, 13,524 people died in alcohol-impaired driving traffic deaths. These deaths were all preventable.

Lowering the BAC limit to 0.05 is not about drinking; it is about separating drinking from driving. It is about preventing crashes, injuries, and deaths and creating safer streets for

everyone. Hawai'i, along with 6 other states that introduced similar legislation, has the opportunity to help set a new BAC standard for our nation. This law would improve the overall health and safety of all people in Hawai'i. I ask that you pass HB1084 and HB1387.

Mahalo for your time and consideration.

Gwendolyn Kalani

HB-1387

Submitted on: 2/11/2025 8:03:05 AM

Testimony for TRN on 2/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Cameron Zulevic	Individual	Support	Written Testimony Only

Comments:

Aloha House Committee on Transportation,

My name is Cameron Zulevic and I am from Kauai. I am submitting testimony in STRONG SUPPORT of HB1084 and HB1387.

Even one fatality due to drunk driving is one too many, and lowering the Blood Alcohol Concentration (BAC) to 0.05 presents a crucial step in preventing such tragic crashes. This measure has the potential to significantly reduce the risk of alcohol-related crashes, ultimately saving lives and preventing immeasurable pain and loss for families and communities.

The United States is an outlier nation with one of the highest blood alcohol concentration (BAC) limits in the world and, as a result, has one of the highest DUI-related fatality rates in the world. Hawai‘i’s alcohol-related traffic fatalities rate is higher than the national average. From 2011-2022, at least 40 percent of traffic fatalities in Hawai‘i involved alcohol. During the same timeframe, the national average for alcohol-related traffic fatalities hovered between 35 and 36 percent, bumping up to 37 percent in 2022. Not only would a 0.05 BAC serve as a general deterrent to intoxicated driving and prevent future deaths, it would significantly reduce this high fatality rate and make Hawai‘i a public health leader in the nation on the issue.

Evidence shows a 0.05 BAC would create safer roads, reduce traffic fatalities and harms, and protect Hawai‘i’s residents, children, and families.

Mahalo

Cameron Zulevic

HB-1387

Submitted on: 2/11/2025 8:05:43 AM

Testimony for TRN on 2/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kekoa Carvalho	Individual	Support	Written Testimony Only

Comments:

Aloha House Committee on Transportation,

My name is Kekoa Carvalho, born and raised in Hawai‘i on the island of O‘ahu, I am submitting testimony in STRONG SUPPORT of HB1084 and HB1387.

Evidence shows a 0.05 BAC would create safer roads, reduce traffic fatalities and harms, and protect Hawai‘i’s residents, children, and families.

According to the [National Highway Traffic Safety Commission](#) (NHTSA), about 37 people in the United States die in drunk-driving crashes every day — that's one person every 39 minutes. In 2022, 13,524 people died in alcohol-impaired driving traffic deaths. These deaths were all preventable.

Lowering the BAC limit to 0.05 is not about drinking; it is about separating drinking from driving. It is about preventing crashes, injuries, and deaths and creating safer streets for everyone. Hawai‘i, along with 6 other states that introduced similar legislation, has the opportunity to help set a new BAC standard for our nation. This law would improve the overall health and safety of all people in Hawai‘i. I ask that you pass HB1084 and HB1387.

Mahalo nui. Let’s make a change to help save lives and pass this bill forward.

Kekoa Carvalho

HB-1387

Submitted on: 2/11/2025 8:10:17 AM

Testimony for TRN on 2/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Syrus Melandish	Pure Jitjitsu	Support	Written Testimony Only

Comments:

Aloha,

My name is Syrus Melandish and I live on the island of Kauai. I am submitting testimony in SUPPORT of HB1084 and HB1387. I believe that this bill will help saves lives and hold drunk drivers accountable for getting behind the wheel and driving. I've had first hand encounters of almost losing my life in a car accident that involved a drunk driver. Today, I'm sober and am a black belt instructor and run a Jiu-Jitsu school, teaching kids to be responsible citizens. Please consider passing this bill so we can give our keiki a brighter future.

Thank you,
Syrus Melandish

HB-1387

Submitted on: 2/11/2025 8:13:13 AM

Testimony for TRN on 2/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Lindsey Fernandes	Individual	Support	Written Testimony Only

Comments:

Aloha House Committee on Transportation,

My name is Lindsey Fernandes and I reside in Līhu‘e, Kaua‘i and I am submitting testimony in STRONG SUPPORT of HB1084 and HB1387.

I'm a mother of two kids and have seen too many traffic fatalities statewide that have caused grief to so many families due to drunk drivers getting behind the wheel. We need to let the community know how serious this issue is and passing these bills will help send a message while keeping the roadways safe including our children.

Even one fatality due to drunk driving is one too many, and lowering the Blood Alcohol Concentration (BAC) to 0.05 presents a crucial step in preventing such tragic crashes. This measure has the potential to significantly reduce the risk of alcohol-related crashes, ultimately saving lives and preventing immeasurable pain and loss for families and communities.

The United States is an outlier nation with one of the highest blood alcohol concentration (BAC) limits in the world and, as a result, has one of the highest DUI-related fatality rates in the world. Hawai‘i’s alcohol-related traffic fatalities rate is higher than the national average. From 2011-2022, at least 40 percent of traffic fatalities in Hawai‘i involved alcohol. During the same timeframe, the national average for alcohol-related traffic fatalities hovered between 35 and 36 percent, bumping up to 37 percent in 2022. Not only would a 0.05 BAC serve as a general deterrent to intoxicated driving and prevent future deaths, it would significantly reduce this high fatality rate and make Hawai‘i a public health leader in the nation on the issue.

Evidence shows a 0.05 BAC would create safer roads, reduce traffic fatalities and harms, and protect Hawai‘i’s residents, children, and families.

According to the [National Highway Traffic Safety Commission](#) (NHTSA), about 37 people in the United States die in drunk-driving crashes every day — that's one person every 39 minutes. In 2022, 13,524 people died in alcohol-impaired driving traffic deaths. These deaths were all preventable.

Lowering the BAC limit to 0.05 is not about drinking; it is about separating drinking from driving. It is about preventing crashes, injuries, and deaths and creating safer streets for everyone. Hawai‘i, along with 6 other states that introduced similar legislation, has the

opportunity to help set a new BAC standard for our nation. This law would improve the overall health and safety of all people in Hawai'i. I ask that you pass HB1084 and HB1387.

Mahalo for your time and consideration.

Lindsey Fernandes, business owner of Maika'i Cleaning Services LLC.