

Honolulu, Hawaii

FEB 08 2011

RE: S.B. No. 825
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committees on Transportation and International Affairs and Public Safety, Government Operations, and Military Affairs, to which was referred S.B. No. 825 entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to make amendments to the State's ignition interlock law recommended by the Hawaii ignition interlock implementation task force pursuant to Act 171, Session Laws of Hawaii 2008, as amended. This measure, among other things:

- (1) Allows any repeat intoxicated driver arrested for a violation after December 31, 2010, to request the return of any motor vehicle registration and number plates surrendered to the Administrative Director of the Courts as a result of the arrest;
- (2) Eliminates the authority to the motor vehicle registration of a repeat intoxicated driver under the administrative revocation law;
- (3) Eliminates the requirement that the arresting officer take possession of the motor vehicle registration and remove the license plate, and issue a temporary motor vehicle registration and temporary number plate for the motor vehicle;



- (4) Requires the installation of an ignition interlock device in any motor vehicle the repeat intoxicated driver operates; and
- (5) Repeals provisions in current law relating to special series number plates and special motor vehicle registration for a qualified household member who is the co-owner of a vehicle with the respondent; penalty for failure to surrender number plates; and transferring title of ownership of a motor vehicle that has had its registration revoked and number plates surrendered.

Your Committees received testimony in support of this measure from the Judiciary, State Attorney General, Department of Transportation, Department of Health, City and County of Honolulu Department of Customer Services, City and County of Honolulu Police Department, City and County of Honolulu Prosecuting Attorney, and Mothers Against Drunk Driving HAWAII.

Act 171, Session Laws of Hawaii 2008, established an Ignition Interlock Program. The purpose of the program is to require drivers whose licenses have been administratively revoked for, or who have been convicted of, operating a vehicle while under the influence of an intoxicant to install an ignition interlock device on their vehicles. The device will prevent these drivers from starting or operating their vehicles when the driver has more than a minimal concentration of alcohol.

Act 171 also established the Hawaii Ignition Interlock Implementation Task Force to study the issues surrounding implementation of the program and to make recommendations to address them. The Hawaii Ignition Interlock Implementation Task Force met numerous times in committees and as a whole, had comprehensive discussions on a multitude of issues relating to the implementation of the Ignition Interlock Program, and made recommendations for statutory amendments necessary to implement the program.

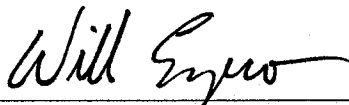
This measure is recommended for passage by the Hawaii Ignition Interlock Implementation Task Force which continues its study into statutory refinements of Act 171.

Your Committees have amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

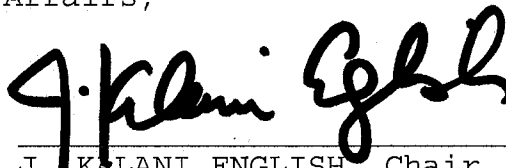


As affirmed by the records of votes of the members of your Committees on Transportation and International Affairs and Public Safety, Government Operations, and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 825, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 825, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on behalf of the members of the Committees on Transportation and International Affairs and Public Safety, Government Operations, and Military Affairs,



WILL ESPERO, Chair



J. KALANI ENGLISH, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Transportation and International Affairs
TIA

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 825	TIA/AGM, JDL	2/1/11		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ENGLISH, J. Kalani (C)	✓			
ESPERO, Will (VC)	✓			
DELA CRUZ, Donovan M.				✓
GABBARD, Mike				✓
KAHELE, Gilbert				✓
KOUCHI, Ronald D.	✓			
SLOM, Sam	✓			
TOTAL	4			3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

SLH

Record of Votes
Committee on Public Safety, Government Operations, and
Military Affairs
PGM

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<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)	/			
KIDANI, Michelle N. (VC)	/			
BAKER, Rosalyn H.	/			
RYAN, Pohai	/			
SLOM, Sam	/			
TOTAL	5			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">Michelle N. Kidani</div>				
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