
HOUSE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY
OF VEHICLE IMMOBILIZATION AS A SANCTION FOR OPERATING A
MOTOR VEHICLE WITH A LICENSE REVOKED OR SUSPENDED FOR
OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT.

1 WHEREAS, Hawaii continues to experience one of the nation's
2 highest rates of alcohol-related traffic fatalities; and

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4 WHEREAS, the National Highway Traffic Safety Administration
5 estimates that fifty to seventy-five per cent of all drivers
6 whose driving privileges have been withdrawn continue to drive
7 in violation of the law; and

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9 WHEREAS, in 2009, there were over twelve hundred arrests
10 in the State for violations pursuant to section 291E-62, Hawaii
11 Revised Statutes, where people drove after having a license
12 revoked or suspended for impaired driving; and

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14 WHEREAS, studies have shown that thirty-two per cent of
15 persons who have had their license suspended for a second time
16 for driving under the influence and sixty-one per cent of third-
17 time driving under the influence offenders received violations
18 or accident citations while their licenses were suspended; and

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20 WHEREAS, the AAA Foundation for Traffic Safety's landmark
21 2003 report, *Unlicensed to Kill*, showed that "approximately 20%
22 of fatal crashes involve at least one driver who did not have a
23 valid license at the time of the crash ... from a low of 6.1% in
24 Maine to a high of 23.1% in New Mexico"; and

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26 WHEREAS, unlicensed drivers present an especially serious
27 threat considering that of the two hundred seventy fatal motor
28 vehicle accidents in Hawaii from 2005-2009, more than one out of
29 every five drivers who tested positive for alcohol were
30 unlicensed; and



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2 WHEREAS, the threat of mandatory jail or other sanctions
3 for driving without a license or with a license revoked or
4 suspended for impaired driving, appears to be an insufficient
5 deterrent; and

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7 WHEREAS, Hawaii's Five-Year Strategic Highway Safety Plan
8 has identified vehicle immobilization to discourage unlicensed
9 driving as a top priority; now, therefore,

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11 BE IT RESOLVED by the House of Representatives of the
12 Twenty-sixth Legislature of the State of Hawaii, Regular Session
13 of 2012, the Senate concurring, that the Director of
14 Transportation is requested to convene a working group, under
15 the leadership of Hawaii's Strategic Highway Safety Plan, to
16 study all aspects of vehicle immobilization as a sanction for
17 driving with a license that was revoked or suspended for
18 operating a vehicle under the influence of an intoxicant; and

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20 BE IT FURTHER RESOLVED that the Director of Transportation
21 is requested to include the following representative
22 stakeholders from the government, community, and industry:

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24 (1) A member of the Senate appointed by the President of
25 the Senate;
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27 (2) A member of the House of Representatives appointed by
28 the Speaker of the House of Representatives;
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30 (3) Two members appointed by the Chief Justice of the
31 Hawaii Supreme Court; provided that one member shall
32 be a district court judge and one member shall be a
33 representative of the Administrative Driver's License
34 Revocation Office;
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36 (4) The Director of Transportation;
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38 (5) The Director of Health;
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40 (6) The Attorney General;
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42 (7) The State Public Defender;
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