

Honolulu, Hawaii

APR 05 2012

RE: H.B. No. 2320
H.D. 2
S.D. 2

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred H.B. No. 2320, H.D. 2, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to implement the recommended amendments of the Ignition Interlock Implementation Task Force to the ignition interlock law.

Specifically, this measure, among other things:

- (1) Allows a person whose driver's license was revoked after December 31, 2010, to apply for a driver's license renewal, subject to the requirements of the ignition interlock law;
- (2) Enables a repeat intoxicated driver who is arrested after December 31, 2010, and is otherwise eligible to operate a motor vehicle with an ignition interlock system to obtain a motor vehicle registration and number plates, by requiring the Director of Transportation to remove any stopper imposed on the motor vehicle registration files;
- (3) Allows a person whose driver's license was revoked for life for multiple convictions for operating a vehicle under the influence of an intoxicant, among other



persons, to petition for an ignition interlock instruction permit and establishes procedures to do so;

- (4) Repeals the requirement that the law enforcement officer making an arrest for operating a vehicle under the influence of an intoxicant take possession of the motor vehicle registration of a repeat intoxicated driver, remove the number plates, and issue a temporary motor vehicle registration and temporary license plates;
- (5) Repeals the authorization of the Director of Transportation to grant a special motor vehicle registration to a qualified household member or to a co-owner of any motor vehicle owned by the respondent;
- (6) Repeals the requirement that the Director of Transportation administratively revoke the registration of any vehicle owned or registered to the respondent, and take custody of any number plates issued to the respondent, if the director determines that the respondent is a repeat intoxicated driver;
- (7) Requires proof that the respondent has installed an ignition interlock device in any vehicle the respondent operates and has obtained motor vehicle insurance or self-insurance, before the Director of Transportation issues an ignition interlock permit during the license revocation period; and
- (8) Prohibits the issuance of an ignition interlock permit to a respondent who holds a license that is a learner's permit or instruction permit.

Written comments in support of this measure were submitted by the City and County of Honolulu; County of Maui - Police Department; Mothers Against Drunk Driving Hawaii; and one individual. Written comments in opposition to this measure were submitted by the County of Hawaii - Police Department. Written comments on this measure were submitted by the Department of the Attorney General; Judiciary - Administrative Driver's License Revocation Office; and City and County of Honolulu - Police Department.

Your Committee finds that, in 2008, the Ignition Interlock Implementation Task Force agreed to develop a basic framework for

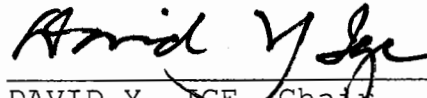


an ignition interlock program, and it was understood that the program would be a work in progress. The ignition interlock program is now in its second year of operation, and the Task Force's legislative subcommittee recommended this measure to address certain unresolved and new issues that became apparent after the law took effect on January 1, 2011.

Your Committee has amended this measure by making technical nonsubstantive amendments for the purposes of style and consistency.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2320, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2320, H.D. 2, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,



DAVID Y. IGE, Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
#B2320 #D2 SDI	TTA/IDL/PGM, WAM	3-29-12		
<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
IGE, David Y. (C)	✓			
KIDANI, Michelle N. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.	✓			
ENGLISH, J. Kalani	✓			
ESPERO, Will	✓			
FUKUNAGA, Carol	✓			
KIM, Donna Mercado	✓			
KAHELE, Gilbert	✓			
KOUCHI, Ronald D.				✓
RYAN, Pohai	✓			
TOKUDA, Jill N.	✓			
WAKAI, Glenn	✓			
SLOM, Sam	✓			
TOTAL	13	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Michelle N. Kidani</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes