

STAND. COM. REP. NO.

628

Honolulu, Hawaii

February 17, 2017

RE: H.B. No. 306  
H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Ninth State Legislature  
Regular Session of 2017  
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred H.B. No. 306 entitled:

"A BILL FOR AN ACT RELATING TO CONTINUOUS ALCOHOL MONITORING FOR REPEAT OFFENDERS,"

begs leave to report as follows:

The purpose of this measure is to require persons arrested for operating a vehicle under the influence of an intoxicant or habitually operating a vehicle under the influence of an intoxicant to be fitted with a continuous alcohol monitoring device if the person has a prior conviction within the past five years or is currently pending criminal investigation or prosecution for one or more prior charges of the same crime.

The Department of Transportation, Office of the Prosecuting Attorney of the County of Kauai, Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, and SCRAM Systems supported this measure. Mothers Against Drunk Driving supported the intent of this measure.

Your Committee has amended this measure by adopting the proposed language offered by the Department of the Prosecuting Attorney of the City and County of Honolulu, which, among other things:

- (1) Requires a person that is charged, rather than arrested, for operating a vehicle under the influence of an

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intoxicant or habitually operating a vehicle under the influence of an intoxicant to refrain from consuming any alcohol and submit to monitoring by a continuous alcohol monitoring device, for a period of no less than ninety days;

- (2) Prohibits the courts from shortening or suspending the ninety-day period that the person charged must refrain from consuming alcohol and submit to monitoring by a continuous alcohol monitoring device; and
- (3) Makes technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 306, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 306, H.D. 1, and be referred to your Committee on Judiciary.

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

  
HENRY J. C. AQUINO, Chair



State of Hawaii  
House of Representatives  
The Twenty-ninth Legislature

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**Record of Votes of the Committee on Transportation**

<b>Bill/Resolution No.:</b> <span style="font-size: 1.5em;">HB 306</span>	<b>Committee Referral:</b> <span style="font-size: 1.5em;">TRN, JUD</span>	<b>Date:</b> <span style="font-size: 1.5em;">02/10/17</span>
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The committee is reconsidering its previous decision on the measure.

**The recommendation is to:**     Pass, unamended (as is)     Pass, with amendments (HD)     Hold  
     Pass short form bill with HD to recommit for future public hearing (recommit)

TRN Members	Ayes	Ayes (WR)	Nays	Excused
1. AQUINO, Henry J.C. (C)	✓			
2. QUINLAN, Sean (VC)	✓			
3. BROWER, Tom	✓			
4. HASHEM, Mark J.	✓			
5. NAKAMURA, Nadine K.	✓			
6. SAN BUENAVENTURA, Joy A.	✓			
7. McDERMOTT, Bob				✓
<b>TOTAL (7)</b>	6	0	0	1

**The recommendation is:**     Adopted     Not Adopted  
 If joint referral, \_\_\_\_\_ did not support recommendation.  
    committee acronym(s)

**Vice Chair's or designee's signature:** \_\_\_\_\_

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