

STAND. COM. REP. NO. 1220-20

Honolulu, Hawaii

JUN 25 , 2020

RE: S.B. No. 2329
S.D. 2
H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2329, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO IGNITION INTERLOCK DEVICES,"

begs leave to report as follows:

The purpose of this measure is to reduce incidents of driving under the influence of an intoxicant by:

- (1) Requiring proof of compliance with ignition interlock laws to be eligible for a driver's license;
- (2) Requiring persons operating a vehicle with an ignition interlock device to have valid government-issued photo identification in their immediate possession;
- (3) Amending the sentencing requirements for:
 - (A) Operating a vehicle after license and privilege have been suspended or revoked for operating a vehicle under the influence of an intoxicant; and
 - (B) Circumvention of, or tampering with, an ignition interlock device by a person who has been

SB2329 HD2 HSCR JUD HMS 2020-2128



restricted to operating a vehicle equipped with an ignition interlock device; and

- (4) Prohibiting a person who is restricted to driving a vehicle equipped with an ignition interlock device from knowingly obscuring a camera lens associated with the device.

Your Committee received testimony in support of this measure from the Department of Transportation, Department of the Prosecuting Attorney of the City and County of Honolulu, County of Hawaii Office of the Prosecuting Attorney, Smart Start LLC, Traffic Injury Research Foundation, FAAR, Casanova Powell Consulting, Mothers Against Drunk Driving Hawaii, and Hawaii Strategic Highway Safety Plan. Your Committee received comments on this measure from the Office of the Public Defender.

Your Committee finds that one way to stop an intoxicated driver from continuing to drive while intoxicated is to strengthen the laws relating to ignition interlock devices. This measure seeks to close loopholes in existing laws identified by the Department of Transportation's Hawaii Drug and Alcohol Intoxicated Driving Working Group.

Your Committee has amended this measure by:

- (1) Specifying the time periods in which an ignition interlock device shall be installed as ninety days for the first within a ten-year period and one hundred-eighty days for a second violation within a ten-year period;
- (2) Changing the effective date to July 1, 2021; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2329, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2329, S.D. 2, H.D. 2.



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



CHRIS LEE, Chair



Record of Votes of the Committee on Judiciary

Bill/Resolution No.: SB2329, SD2, HD1	Committee Referral: TRN, JUD, FIN	Date: JUNE 24, 2020		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. LEE, Chris (C)	/			
2. SAN BUENAVENTURA, Joy A. (VC)	/			
3. BROWER, Tom				/
4. CREAGAN, Richard P.	/			
5. LOWEN, Nicole E.	/			
6. McKELVEY, Angus L.K.	/			
7. NAKASHIMA, Mark M.	/			
8. PERRUSO, Amy A.	/			
9. SAY, Calvin K.Y.	✓			
10. TAKAYAMA, Gregg	/			
11. YAMANE, Ryan I.	/			
12. THIELEN, Cynthia				/
TOTAL (12)	10			2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: _____				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				