

STAND. COM. REP. NO.

2757

Honolulu, Hawaii

FEB 14 2020

RE: S.B. No. 2329
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committees on Transportation and Public Safety,
Intergovernmental, and Military Affairs, to which was referred
S.B. No. 2329 entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to improve motorist safety by strengthening laws regarding ignition interlock devices, including requiring consecutive terms of imprisonment for habitual offenders; requiring a person operating a vehicle with an ignition interlock device to have a government issued identification on their person, which would allow police to verify the identity of the driver as the ignition interlock device permit holder; and adding a provision prohibiting the obstruction of a camera lens associated with an ignition interlock device.

Your Committees received testimony in support of this measure from the Department of Transportation; Department of the Prosecuting Attorney, City & County of Honolulu; Office of the Prosecuting Attorney, County of Hawaii; Mothers Against Drunk Driving; Smart Start; and one individual. Your Committees received testimony in opposition to this measure from the Office of the Public Defender.

Your Committees find that there are an increasing number of traffic fatalities involving alcohol and drugs in Hawaii. Your



Committees further find that Hawaii's laws on operating a vehicle under the influence of an intoxicant contain omissions that prevented it from functioning as intended. This measure fixes these omissions by requiring consecutive terms of imprisonment for habitual offenders; requiring a person operating a vehicle with an ignition interlock device to have a government issued identification on their person, which would allow police to verify the identity of the driver as the ignition interlock device permit holder; and adding a provision prohibiting the obstruction of a camera lens associated with an ignition interlock device. Your Committees further find that courts should have the discretion to impose sentencing in each case and that adding a subsection to section 291E-62(c) would obviate the need to amend sections 291E-61 and 291E-61.5, Hawaii Revised Statutes.

Therefore, your Committees have amended this measure by:

- (1) Amending the mandatory one year imprisonment sentencing in section 291E-62 to be no less than six months and no more than one year;
- (2) Adding a provision that requires consecutive terms of imprisonment for certain offenders;
- (3) Deleting the amendments made to sections 291E-61 and 291E-61.5, Hawaii Revised Statutes; and
- (4) 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 Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2329, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2329, S.D. 1, and be referred to your Committee on Judiciary.



Respectfully submitted on
behalf of the members of the
Committees on Transportation
and Public Safety,
Intergovernmental, and Military
Affairs,

Clarence K. Nishihara

CLARENCE K. NISHIHARA, Chair

Lorraine R. Inouye

LORRAINE R. INOUE, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Transportation
TRS

Bill / Resolution No.:*	Committee Referral:	Date:		
SB2329	TRS/PSM, JDC	2/7/20		
<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
INOUE, Lorraine R. (C)	✓			
HARIMOTO, Breene (VC)	✓			
ENGLISH, J. Kalani				✓
SHIMABUKURO, Maile S.L.	✓			
FEVELLA, Kurt	✓			
TOTAL	4	0	0	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<i>Breene Hunt</i>				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes

