

JAN 20 2016

A BILL FOR AN ACT

RELATING TO THE USE OF INTOXICANTS WHILE OPERATING A VEHICLE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 291E-61, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) A person commits the offense of operating a vehicle
4 under the influence of an intoxicant if the person operates or
5 assumes actual physical control of a vehicle:

6 (1) While under the influence of alcohol in an amount
7 sufficient to impair the person's normal mental
8 faculties or ability to care for the person and guard
9 against casualty;

10 (2) While under the influence of any drug that impairs the
11 person's ability to operate the vehicle in a careful
12 and prudent manner;

13 (3) With ~~[-.08]~~ .06 or more grams of alcohol per two
14 hundred ten liters of breath; or

15 (4) With ~~[-.08]~~ .06 or more grams of alcohol per one
16 hundred milliliters or cubic centimeters of blood."



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1 SECTION 2. Section 291E-61.5, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) A person commits the offense of habitually operating
4 a vehicle under the influence of an intoxicant if:

5 (1) The person is a habitual operator of a vehicle while
6 under the influence of an intoxicant; and

7 (2) The person operates or assumes actual physical control
8 of a vehicle:

9 (A) While under the influence of alcohol in an amount
10 sufficient to impair the person's normal mental
11 faculties or ability to care for the person and
12 guard against casualty;

13 (B) While under the influence of any drug that
14 impairs the person's ability to operate the
15 vehicle in a careful and prudent manner;

16 (C) With [~~+.08~~] .06 or more grams of alcohol per two
17 hundred ten liters of breath; or

18 (D) With [~~+.08~~] .06 or more grams of alcohol per one
19 hundred milliliters or cubic centimeters of
20 blood."



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1 SECTION 3. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

4 SECTION 4. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY: *John Breen MD*

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Report Title:

Driving Under the Influence; Blood Alcohol Content

Description:

Lowers the threshold of blood alcohol content for the offense of driving under the influence of an intoxicant.

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