Hawaii State Liquor Conference
DUI Panel
October 1, 2019
Division of Driver Education

- **Oahu**
  - 23
  - American Savings Bank Tower
    - 1001 Bishop Street
    - Honolulu, HI 96813

- **Maui, Molokai, Lanai**
  - 5
  - Main Street Promenade
    - 2050 Main Street
    - Wailuku, HI 96793

- **Kauai**
  - 2
  - Kauai Judiciary
    - 3970 Ka’ana Street
    - Lihue, HI 96766

- **Big Island**
  - 5
  - Kona Judiciary
    - 74-5451 Kamakaeha Avenue
    - Kailua-Kona, HI 96740
  - Hilo Judiciary
    - 777 Kilauea Avenue
    - Hilo, HI 96720
Mission of Driver Education

To promote safe driving habits through educational programs aimed at traffic offenders.
**Purpose**

**CASE MANAGEMENT**

* Assist traffic offenders to comply with their court sentence and driver licensing conditions

**EDUCATION**

* To conduct effective traffic safety education classes to court referred individuals
Special funded program

**HRS 286G-3 Driver Ed. and Training fund**

- $7 State and County moving violations
- $100 OVUII 291E-61, 291E-61.5
- $50 Child Passenger Safety class 291-11.5
- $75 Excessive Speeding 291c-105

**HRS 431:10C-115 Driver Ed. fund underwriters fee**

- $3 collected for each insurance policy

($2 - designated to Dept of Ed. & $1 – designated to Judiciary DDE)
Who do we service?

- DUI offenders
- Underage Drinking Drivers
- Excessive Speeders
- May I Help You?
- ADLRO
- Child Restraint Violators
- Other traffic violators
BE AWARE

No. 08

OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT:

HRS 291E-81 OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT.

A person commits the offense of operating a vehicle under the influence of an intoxicant if the person operates or assumes actual physical control of a vehicle 1) while under the influence of alcohol in an amount sufficient to impair one’s normal mental faculties, or ability to care for the person and guard against casualty, or with 0.08 percent or greater of blood alcohol concentration; or 2) while under the influence of any drug that impairs the person’s ability to operate the vehicle in a careful and prudent manner.

PENALTIES: A person committing the offense of operating a vehicle under the influence of an intoxicant shall be sentenced, as follows without possibility of probation or suspension of sentence:

FIRST OFFENSE:

No DUl/OVUII conviction within the past 10 years
• 14 hours minimum substance abuse rehabilitation program
• 1 Year revocation of license and privilege to operate a vehicle, and installation of ignition interlock device on any vehicle operated by person during revocation period
• One or more of the following:
  • $250 to $1,000 fine
  • 72 hours of community service
  • 48 hours to 5 days imprisonment
• Substance abuse assessment and possible treatment

• $100, $7 Driver Education assessment for OVUII education (HRS 280G-3)
• $25 Neurotrauma Surcharge
• Surcharge up to $25 if court so orders, to the trauma system special fund
• $250 Drug demand reduction assessment (HRS 706-650)
• $30 Crime victim compensation (HRS 706-605(8), 351-82.8(a)(3))

SECOND OFFENSE:

Within 10 years of a prior DUl/OVUII conviction
• 24 months to 3 years revocation of license and privilege to operate a vehicle, and installation of ignition interlock device on any vehicle operated by the person during revocation period
• Either of the following:
  • Not less than 240 hours of community service; or
  • 5 days to 30 days imprisonment of which 48 hours shall be served consecutively
• $1,000 to $3,000 fine
• Substance abuse assessment and possible treatment

• $100, $7 Driver Education assessment for OVUII education (HRS 280G-3)
• $25 Neurotrauma Surcharge
• Surcharge up to $50 if court so orders, to the trauma system special fund
• $250 Drug demand reduction assessment (HRS 706-650)
• $30 Crime victim compensation (HRS 706-605(8), 351-82.8(a)(3))

IN ADDITION TO 1ST AND 2ND OFFENSE PENALTIES:

Any person 18 years of age or older who is convicted under this section and who operated a vehicle with a passenger who was younger than 15 years of age shall be sentenced to an additional mandatory fine of $500 and an additional mandatory term of imprisonment of 48 hours. Total term of imprisonment not to exceed maximum term as provided. HRS 291E-81(3). There will be no requirement to install an Ignition Interlock device if the requirement has been previously imposed pursuant to part III of the chapter (by the Administrative Driver’s License Revocation office); provide that, if the requirement is subsequently reversed, a requirement for the installation of an Ignition Interlock device shall be imposed as provided in this section HRS 291E-81(3).

A person convicted for a THIRD and subsequent OVUII offense within 10 years is subject to penalties under HRS 291E-81.5 “Habitually Operating a Vehicle Under the Influence of an Intoxicant”.

EFFECTIVE JULY 1, 2019 • This information has been condensed. Refer to Hawai’i Revised Statutes for the laws in its entirety.

For more information call: DIVISION OF DRIVER EDUCATION: O’AHU: 534-6400 • MAUI: 442-3575 • Hilo: 961-7544 • KONA: 443-2275 • KAUAI: 482-238
Driver Education Intake Interview

Administrative Driver License Revocation

* Referral to a certified substance abuse counselor for an assessment and follow up with any recommended treatment
* Information provided about the ignition interlock permit (Smart Start)

Court Sentence

* Referral to a certified substance abuse counselor for an assessment and follow up with any recommended treatment
* Enroll in the 14 hours first offender DUI educational course
Interview conducted by a State certified substance abuse counselor.

Each Driver Education office maintains a list of counselors. Client selects the counselor based on location, cost, office hours, etc.

Interview takes between 1-1½ hours.

Results sent to Driver Education office. Driver Education assistant discusses results with client and client follows up with treatment recommendations, if any.
EDUCATION WHICH DOES NOT MOULD CHARACTER IS ABSOLUTELY WORTHLESS.
Highlights

Evidence-based, motivational program; designed to reduce risk of alcohol and drug-related problems

- Low risk / High risk choices
- Non-judgmental approach
- Self-Reflections
- What My Arrest Cost Me
- Group activities
- Guest Speakers – Alcoholics Anonymous, Victim Impact speaker & volunteers (AMR- Danny Kao)
Danny Kao, EMS
Zero Tolerance Course

BE AWARE
ZERO
INTOXICATION TOLERANCE

Driving After Drinking Prohibited Under Age 21
Operating a vehicle after consuming a measurable amount of alcohol persons under the age of twenty-one. HRS 291E.54

It shall be unlawful for any person under the age of twenty-one years to operate any vehicle with a measurable amount of alcohol. A law enforcement officer may arrest a person under this section when the officer has probable cause to believe the arrested person is under the age of twenty-one and had been operating a vehicle upon a public way, street, road, highway or on or in the waters of the State with a measurable amount of alcohol.

FIRST VIOLATION
Not preceded by a prior alcohol enforcement contract within 5 years.

PERSONS UNDER 18
• The person and the person’s parent or guardian shall attend an alcohol education course or program for not more than 10 hours.
• 180 day prompt license suspension with absolute prohibition from operating a motor vehicle during suspension of license.
• The court may impose one or more of the following:
  • Up to 30 hours of Community Service Work;
  • Fine of $150 to $600

1 year suspension for refusal to be tested.

PERSONS 18 TO 21
• The person shall attend an alcohol abuse education and counseling program for not more than 10 hours.
• 180 day prompt suspension of license, providing there is at least 50 days absolute prohibition from driving and for the remainder of the 180 days a restriction to drive for limited use-related persons and to participate in alcohol abuse education and treatment programs.
• The court may impose one or more of the following:
  • Up to 30 hours of Community Service Work;
  • Fine of $150 to $600

1 year suspension for refusal to be tested.

SECOND VIOLATION
Within 5 years of a prior alcohol enforcement contact.

PERSONS UNDER 21
• 1 year absolute license suspension.
• In addition, the court may impose any of the following:
  • Up to 30 hours of Community Service Work;
  • Fine of $150 to $1,000
  • Alcohol assessment and possible treatment.
• 2 to 5 years suspension for refusal to be tested.

THIRD VIOLATION
Within 5 years of 2 prior alcohol enforcement contacts.

PERSONS UNDER 21
• 2 year license revocation.
• In addition, the court may impose any of the following:
  • Up to 120 hours of Community Service Work;
  • Fine of $150 to $1,000
  • Alcohol assessment and possible treatment.
• 2 to 5 years suspension for refusal to be tested.

Know and obey
The information contained here has been condensed; for the law is for entirely refer to the Hawaii Revised Statutes. For more information, contact the Division of Driver Education.

* 10-hour course offered 2 times per year

* Condensed version of Prime for Life program

* Includes more youth-oriented activities
## 2018 Total Statewide Classes

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Zero Tolerance Class Enrollment
Thank you for your time!

Division of Driver Education

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