

EXECUTIVE ORDER No. 13- 04

ESTABLISHING THE HAWAII IMPAIRED DRIVING TASK FORCE

WHEREAS, the Hawaii Department of Transportation is operating under the Moving Ahead for Progress in the 21st Century (“MAP-21”) for federal fiscal years 2013 and 2014;

WHEREAS, MAP-21 is the current transportation bill that authorizes federal funding for federal surface transportation programs that target traffic safety issues, such as Impaired Driving, Distracted Driving, Occupant Protection, Motorcycle Safety, and Speeding;

WHEREAS, the new requirements enacted by Congress and the National Highway Traffic Safety Administration (NHTSA) mandate that in order to qualify for Impaired Driving Countermeasures Grant funding under MAP-21, states that have an average impaired driving fatality rate that is higher than 0.30 and lower than 0.60 are considered mid-range states. Based on the Fatality Analysis Reporting System data, Hawaii’s average impaired driving fatality rate is 0.44 and Hawaii is required to establish a statewide impaired driving task force to develop and submit a statewide impaired driving plan by September 1, 2013 to avoid jeopardizing the receipt of further federal funds;

WHEREAS, a priority recommendation from NHTSA’s 2010 Impaired Driving Technical Assessment urged the Hawaii Department of Transportation to establish a task force to address impaired driving issues, and provide oversight of implementation of strategies and countermeasures;

WHEREAS, Section 26-41, Hawaii Revised Statutes, authorizes the Governor of the State of Hawaii to establish temporary boards and commissions as the Governor “may deem necessary to gather information or furnish advice for the executive branch,” and to prescribe their organization, functions, and authority;

WHEREAS, Section 26-41, Hawaii Revised Statutes, further states “a temporary board or commission shall not remain in existence for a term extending beyond the last day of the second regular session of the legislature

after the date of its establishment or beyond the period required to receive federal grants-in-aid, whichever occurs later, unless extended by concurrent resolution of the legislature;”

NOW, THEREFORE, I, NEIL ABERCROMBIE, Governor of Hawaii, pursuant to the provisions of section 26-41, Hawaii Revised Statutes, do hereby establish a temporary board to be known as the HAWAII IMPAIRED DRIVING TASK FORCE, and further order as follows:

- (a) The purpose of the HAWAII IMPAIRED DRIVING TASK FORCE is to develop a statewide impaired driving plan as required by MAP-21 to address impaired driving-related issues to reduce deaths.
- (b) The HAWAII IMPAIRED DRIVING TASK FORCE shall perform and conduct all activities necessary to effectuate the purposes of this Executive Order.
- (c) The HAWAII IMPAIRED DRIVING TASK FORCE shall be comprised of the following:
 - (1) Two members of the Senate appointed by the president of the senate;
 - (2) Two members of the House of Representatives appointed by the speaker of the house of representatives;
 - (3) Four members appointed by the Chief Justice of the Hawaii Supreme Court; provided that one member shall be a district court judge, one shall be a representative of the administrative driver’s license revocation office, one shall be a representative of the driver education division, and one shall be a representative from the Honolulu’s DWI Court program;
 - (4) The Director of Transportation;
 - (5) The Director of Health, Chief of the Alcohol and Drug Abuse Division, Trauma Coordinator, and representatives from the Injury and Control section and State Laboratories Division;
 - (6) The Hawaii Attorney General;
 - (7) The State Public Defender;

- (8) The Chiefs of Police of the Counties of Hawaii, Kauai, and Maui and the City and County of Honolulu;
- (9) The Prosecuting Attorneys of the Counties of Hawaii, Kauai, and Maui and the City and County of Honolulu;
- (10) The Chief Examiner of drivers of the Counties of Hawaii, Kauai, and Maui and the City and County of Honolulu;
- (11) The executive director and a member of the Council of Mothers Against Drunk Driving, Hawaii Chapter;
- (12) A representative from Hawaii's ignition interlock device vendor;
- (13) A member of the Hawaii Association of Criminal Defense Lawyers, appointed by its president;
- (14) A member of the Hawaii State Bar Association, appointed by its president;
- (15) The Administrator of the Honolulu Liquor Commission;
- (16) The Directors of the Counties of Maui, Kauai and Hawaii of the Departments of Liquor Control;
- (17) The Executive Director of the Hawaii Insurers Council;
- (18) The Director of the Clinical Laboratories of Hawaii, LLP;
- (19) A representative from the University of Hawaii's Department of Psychiatry;
- (20) The Superintendent of Education and the Driver Education Resource Teacher;
- (21) A representative from the Hawaii Partnership to Prevent Underage Drinking;
- (22) A representative from Drug Free Hawaii;
- (23) A representative from AAA Hawaii;
- (24) A representative from HMSA;
- (25) The Director and Deputy Director of the Department of Public Safety;
- (26) The coordinator of injury prevention and research of The Queen's Medical Center;

(27) A representative from the American College of Emergency Physicians Hawaii Chapter;

(28) The executive director of the North Hawaii Outcomes Project;
The members may conduct meetings in connection with the purposes of the TASK FORCE and form sub-committees with non-members as agreed by the TASK FORCE. Members of the task force may designate a representative for the purpose of attendance at TASK FORCE meetings.

(d) The Director of Transportation shall serve as Chairperson of the HAWAII IMPAIRED DRIVING TASK FORCE. The Chair shall select a Vice Chairperson to perform the functions of the chairperson in the chairperson's absence, create other offices and elect other subordinate officers, or form any subject matter committees, as the Chair deems appropriate. Non-members may be invited by members to serve on TASK FORCE committees, but shall not be entitled to any compensation or reimbursement of expenses.

(e) The HAWAII IMPAIRED DRIVING TASK FORCE shall be a joint effort among state, county, and federal governments as well as the profit and not-for-profit sectors. Additional representatives from government agencies and private sector organizations with an interest in impaired driving issues shall be invited to participate upon the invitation of the Chair of the TASK FORCE.

(f) The members of the HAWAII IMPAIRED DRIVING TASK FORCE shall serve without compensation, and shall be entitled to reimbursement from the Department of Transportation for necessary expenses while attending meetings and while in the discharge of their duties and responsibilities under this Executive Order. The Chair shall appoint replacement TASK FORCE members as necessary.

(g) The HAWAII IMPAIRED DRIVING TASK FORCE shall be convened, staffed and supported by the Department of Transportation.

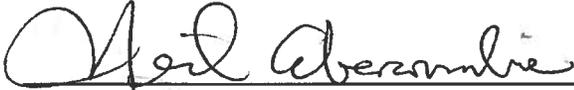
(h) The HAWAII IMPAIRED DRIVING TASK FORCE meetings shall be subject to the Sunshine Law, part I of the chapter 92, Hawaii Revised

Statutes. A majority of the members to which the TASK FORCE is entitled, shall constitute a quorum to do business and to validate any decision or act of the TASK FORCE.

- (i) The HAWAII IMPAIRED DRIVING TASK FORCE shall not remain in existence for a term extending beyond the last day of the second regular session of the legislature after the date of its establishment or beyond the period required to receive federal grants-in-aid, whichever occurs later, unless extended by concurrent resolution of the legislature.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Hawaii.

DONE at the State Capitol, Honolulu,
State of Hawaii; this 20th
day of May 2013.



NEIL ABERCROMBIE
Governor of Hawaii

APPROVED AS TO FORM:



David M. Louie
Attorney General