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## HOUSE RESOLUTION

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REQUESTING THE EXAMINER OF DRIVERS TO MAKE FINDINGS OF  
REASONABLE CAUSE OF INCOMPETENCE BASED UPON REPORTS OF  
VARIOUS PROFESSIONALS OR PEOPLE.

1 WHEREAS, driving is an activity that requires a driver's  
2 full attention and abilities to drive safely; and  
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4 WHEREAS, a driver who is mentally or physically impaired  
5 could be a danger to himself, other motorists, and those in the  
6 communities in which he is driving in; and  
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8 WHEREAS, the examiner of drivers has the authority to  
9 suspend any driver's license without hearing when the examiner  
10 has reasonable cause to believe that the licensee is incompetent  
11 to operate the type of motor vehicle for which the licensee  
12 holds a license or is afflicted with mental or physical  
13 infirmities or disabilities which would make it unsafe for the  
14 licensee to operate a motor vehicle of the type for which the  
15 licensee is licensed; and  
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17 WHEREAS, the current law, §286-119, Hawaii Revised  
18 Statutes, does not give clear guidance as to what constitutes  
19 the reasonable cause to suspend a license; now, therefore,  
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21 BE IT RESOLVED by the House of Representatives of the  
22 Twenty-fourth Legislature of the State of Hawaii, Regular  
23 Session of 2007, that when suspending a license, the examiner of  
24 drivers, while making a finding of reasonable cause of  
25 incompetence, is requested to consider reports of various  
26 professionals or people in making that finding; and  
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28 BE IT FURTHER RESOLVED that reports by any law enforcement  
29 officers, licensed chiropractor under chapter 442, licensed  
30 medical professional under chapter 453, licensed mental health  
31 counselors under chapter 453D, licensed physical therapists



under chapter 461J, licensed psychologists under chapter 465,  
and licensed social workers under chapter 467E, or any member of  
the operator's family within three degrees of consanguinity, or  
the operator's spouse, who has reached the age of eighteen, be  
considered in making a determination of incompetence; and

BE IT FURTHER RESOLVED that certified copies of this  
Resolution be transmitted to the examiner of drivers of the City  
and County of Honolulu, Hawaii County, Kauai County, and Maui  
County.

OFFERED BY:

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