

STAND. COM. REP. NO. 1426

Honolulu, Hawaii

March 23, 2007

RE: S.B. No. 946  
S.D. 2  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fourth State Legislature  
Regular Session of 2007  
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred S.B. No. 946, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO ADMINISTRATIVE LICENSE REVOCATION,"

begs leave to report as follows:

The purpose of this bill is to enable a driver whose license has been administratively revoked for life due to multiple convictions of driving under the influence, a chance for relicensing under specific circumstances. Specifically, this bill:

- (1) Permits a driver to seek reinstatement of a license no sooner than 10 years since the lifetime revocation was imposed;
- (2) Requires an application for reinstatement of a license to be accompanied by written proof that the individual, within 90 days, immediately preceding the application, has been assessed by a certified substance abuse counselor and determined not to be in need of substance abuse treatment due to dependency or abuse;
- (3) Requires a driver to have had no arrests or convictions for driving while a license is revoked; and



- (4) Prohibits the issuance of a new driver's license if the driver's license has been revoked for a lifetime more than once.

The Senior Pastor of the Wahiawa Church of the Nazarene, Pastor of the Kailua Church of the Nazarene, and the District Superintendent of the Hawaii Pacific District of the Church of the Nazarene testified in support of this bill. An individual testified in support of this bill with amendments. The Judiciary, Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, and MADD-Hawaii testified in opposition to this bill. The Department of Transportation offered oral comments and concerns on this measure.

Although there are a large number of traffic fatalities due to alcohol-related accidents each year, your Committee finds that every individual can be reformed and deserves a second chance, especially if the individual has performed meritorious service for over a decade.

However, numerous administrative and legal concerns were raised by the opponents of this measure. In light of these concerns, your Committee has amended this bill by deleting its contents and replacing its language with the contents of H.B. No. 160, HD1, which:

- (1) Permits driver whose license has been administratively revoked for life to seek reinstatement of the license after 10 years have passed since the lifetime revocation; and
- (2) Requires a driver to have had no arrests or convictions for driving while license revoked and be free from dependency or abuse of alcohol and drugs.

Your Committee has further amended this bill by:

- (1) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.



Your Committee on Transportation also would respectfully request that your Committee on Judiciary review the concerns raised by the opponents of this bill and address these issues accordingly.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 946, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 946, S.D. 2, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Transportation,



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JOSEPH M. SOUKI, Chair



